

DIVISION 6: DEVELOPMENT STANDARDS

Chapter 22.80 General Site Regulations

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22.80.010 Purpose

The purpose of this Chapter is to prescribe development and site regulations to ensure that all development produces an environment of desirable character, is compatible with existing development, and protects the use and enjoyment of neighboring properties.

22.80.020 Applicability

The requirements of this Chapter apply to development in all zones, except where specifically stated. Where a different yard requirement is established elsewhere in this Title 22, the yard requirements in this Chapter shall be superseded.

22.80.030 Accessory Buildings

The following accessory buildings are permitted in required yards:

- A. **Garages or Carports within Front Yards on Sloping Terrain.** A one-story attached or detached garage or carport may be used within a required front yard on sloping terrain, provided that:
 1. The difference in elevation between the curb level and the natural ground at a point 25 feet from the highway line is five feet or more; or where there is no curb, that a slope of 20 percent or more from the highway line to a point on

natural ground 25 feet from said highway line exists. Measurement in all cases shall be made from a point midway between the side lot lines;

2. The garage or carport is located not closer than five feet to a highway line or closer to a side lot line than is permitted for a main building on such lot; and
3. The garage or carport does not exceed a height of 15 feet above the level of the centerline of the adjoining street or highway.

B. Garages and Carports in Rear and Side Yards. One-story detached garages and carports may be used within a required interior side and rear yard, provided that:

1. The detached garages and carports are located 75 feet or more from the front lot line;
2. Where the garages or carports have direct vehicular access to an alley, they shall be located a distance of not less than 26 feet from the opposite right-of-way line of such alley;
3. On a corner or reversed corner lot, the garage or carport is located not closer to the highway line than a distance equal to the corner side yard;
4. The provision is made for all roof drainage to be taken care of on the same property; and
5. No more than 50 percent of the required rear yard shall be covered by buildings or other roofed structures.

C. Other Accessory Buildings in Rear Yards. Other one-story accessory buildings permitted in the zone, excluding guest houses or any other building designed or used for living or sleeping purposes, may be used within a required rear yard, provided that:

1. Such buildings are not placed within a required side yard;
2. Such buildings are placed not closer than five feet to any lot line; and
3. Not to exceed 50 percent of the required rear yard shall be covered by buildings or other roofed structures.

D. Replacement of Open Space. A Discretionary Site Plan Review is required to approve buildings or other roofed structures when the area being covered is in excess of 50 percent of a required rear yard, and an equivalent area replacing the covered area is substituted elsewhere on the property, provided that:

1. The Director determines that the equivalent area substituted is equally satisfactory with regard to usability and location; and
2. Such equivalent area does not exceed 10 percent in grade and has a minimum dimension of not less than 15 feet. Such dimension may include area contained in the required rear or side yard but required yards shall not be included in computing such equivalent replacement area.

22.80.040 Accessory Structures and Equipment

The following structures are permitted in required yards subject to this Chapter:

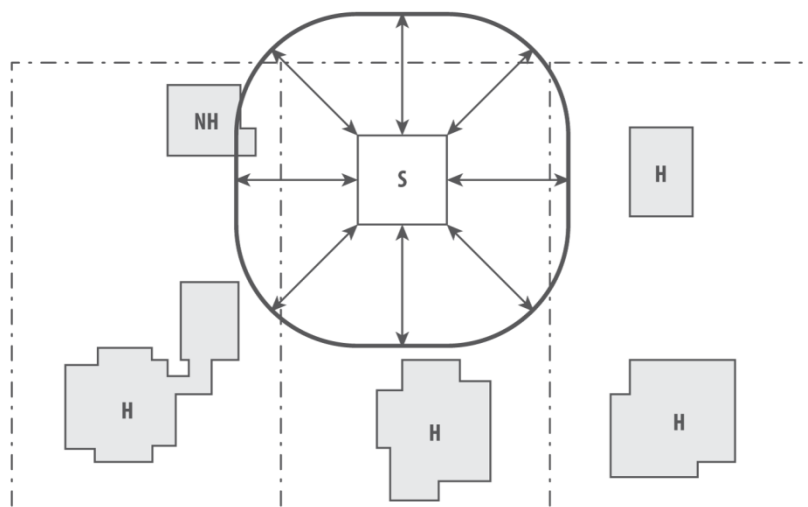
- A. **Planter Boxes and Masonry Planters.** The maximum height of planter boxes and masonry planters in required front yards shall not exceed a height of three and one-half feet.
- B. **Swimming Pools.** A swimming pool is permitted in a required rear yard, provided that it is at least five feet from any lot line.
- C. **Guard Railings or Fences for Safety Protection.** Guard railings or fences for safety protection adjacent to depressed ramps may be placed in any yard, provided that:
 - 1. An open-work railing or fence is used; and
 - 2. Such railing or fence does not exceed a height of three and one-half feet.
- D. **Driveways, Walkways, and Patio Slabs.** Driveways, walkways, patio slabs and other areas constructed of concrete, asphalt or similar materials, and wooden decks, may be used in any required yard. The maximum height of such structures in a required yard may not exceed one foot above ground level. Steps providing access between areas of different elevation on the same property are included in this requirement.
- E. **Ground-Mounted Equipment.** Ground-mounted air conditioners, swimming pool pumps, heaters, filters, fans may be used in required rear yards, provided that:
 - 1. Such structures or equipment are at least two and one-half feet from any lot line; and
 - 2. Such structures or equipment do not exceed a height of six feet measured from the finished grade.
- F. **Equipment in Rear Yards.** The following equipment is permitted in rear yards:
 - 1. Trash enclosures;
 - 2. Movable dog houses; and
 - 3. Children's play equipment.
- G. **Temporary Signs.** Temporary signs advertising the sale or lease of the premises on which the sign is located may be placed within the front or corner side yard if a minimum setback of 10 feet is maintained from the highway line. All such signs shall comply with the other provisions contained in this Title 22.
- H. **Sign Location.** On-site signs permitted by this Title 22 and attached to a lawfully existing building may extend a maximum of 18 inches into the front or corner side yard. This does not authorize the projection of such signs beyond the right-of-way line established by the highway line.
- I. **Freestanding Signs in Zones C-H and C-1.** Freestanding signs in Zones C-H and C-1 may be placed in the front yard subject to the other provisions of this Title 22.

22.80.050 Distance Between Buildings

Where more than one building is placed on a lot, the following minimum distances shall apply in any zone where front, side and rear yards are required by this Title 22:

- A. **Distance Between Main Buildings.** A minimum distance of 10 feet shall be required between all main residential buildings.
- B. **Distance Between Accessory and Main Buildings.** Except where a greater distance is required by Title 22, a minimum distance of six feet shall be required between any main residential building and any accessory building.
- C. **Projections Permitted Between Buildings on the Same Lot.**
 - 1. The following projections are permitted within the required distance between buildings, provided they are developed subject to the same standards as and are not closer to a line midway between such buildings than is permitted in relation to a side lot line within a required interior side yard:
 - a. Eaves and cantilevered roofs;
 - b. Fireplace structures, buttresses and wing walls;
 - c. Rain conductors and spouts, water tables, sills, capitals, cornices, and belt courses;
 - d. Awnings and canopies;
 - e. Water heaters, water softeners, gas or electric meters, including service conductors and pipes; and
 - f. Exterior stairways and balconies above the level of the first floor.
 - 2. Uncovered porches, platforms, landings, decks, and related access stairs that do not extend above the first floor, are permitted between buildings without any distance restriction.

FIGURE 22.080.050-A: DISTANCE BETWEEN BUILDINGS



Legend:

S = Structure

NH = Non-Habitable Structure

H = Habitable Structure

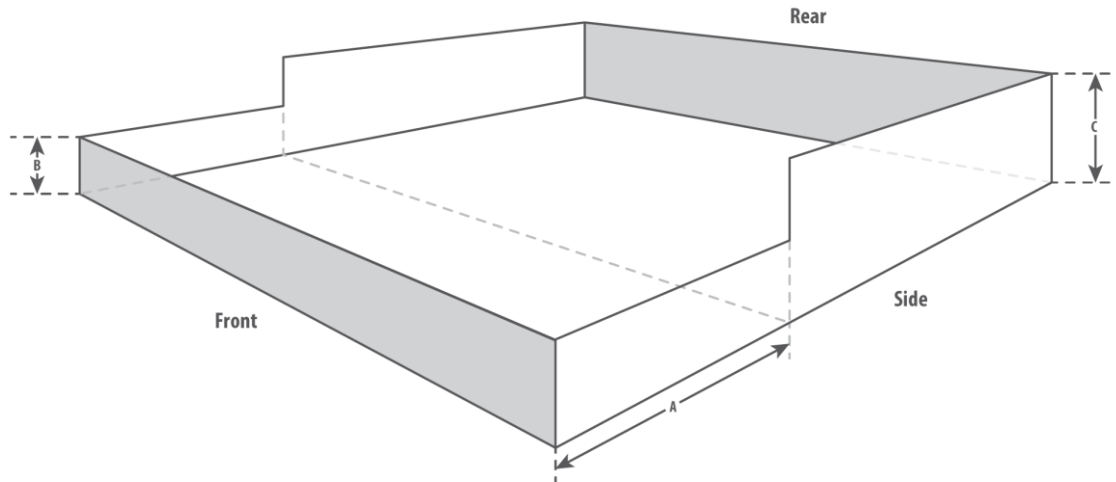
22.80.060 Height Limits

- A. **Maximum Height.** The height of buildings, except where otherwise provided, shall be determined by the total floor area in all the buildings on any one lot shall not exceed 13 times the buildable area of such lot.
- B. **Buildable Area.** Where any provision of this Title 22, or of any other ordinance, requires any front, side or rear yards, or prohibits the occupation of more than a certain portion of a lot by a structure, the portion of such lot which may be occupied by structures is the “buildable area” as used in Subsection A, above.
- C. **Exceptions from Height Limits.** The following are exceptions from the maximum permitted heights stated by this Title 22:
 - 1. Cellar floor space, parking floor space with related interior driveways and ramps, or space within a roof structure or penthouse for the housing of building operating equipment or machinery shall not be considered in determining the total floor area within a building;
 - 2. Chimneys and rooftop antennas; and
 - 3. Signs, as regulated By Chapter 22.84.

22.80.070 Fences and Walls

- A. **Measuring Height of Fences and Walls.** The height of a fence or wall shall be measured at the highest average ground level within three feet of either side of said wall or fence. In order to allow for variation in topography, the height of a required fence or wall may vary an amount not to exceed six inches; provided that the average height of such fence or wall shall not exceed the specified maximum height.

FIGURE 22.080.070-A: MEASURING FENCE HEIGHT



Legend:

- A = Required front yard
B = Fence height within the required front yard
C = Fence height after the required front yard

B. Maximum Height of Fences and Walls. Fences and walls may be erected and maintained in required yards subject to the following requirements:

1. **Front Yards.** Fences and walls within a required front yard shall not exceed three and one-half feet in height.
2. **Interior Side and Rear Yards.** Fences and walls within a required interior side, or rear yard shall not exceed six feet in height; provided, that on the street or highway side of a corner lot such fence or wall shall be subject to the same requirements as for a corner side yard.
3. **Corner Side Yards.** Fences and walls within a required corner side yard shall not exceed three and one-half feet in height where closer than five feet to the highway line, nor exceed six feet in height where located five feet or more from said highway line.
4. **Retaining Walls.**
 - a. *Retaining Walls.* Retaining walls within required yards shall not exceed six feet in height.
 - b. *Retaining Walls Topped with Walls or Fences.*
 - i. Where a retaining wall protects a cut below the natural grade and is located on a front, side or rear lot line, such retaining wall may be topped by a fence or wall of the same height that would otherwise be permitted at the location if no retaining wall existed. Where such retaining wall contains a fill, the height of the retaining wall built to

retain the fill shall be considered as contributing to the permissible height of a fence or wall; provided that a non-view-obscuring fence of three and one-half feet may be erected at the top of the retaining wall for safety protection.

- ii. Where a wall or fence is located in the required yard adjacent to a retaining wall containing a fill, such wall or fence shall be set back from said retaining wall a distance of one foot for each one foot in height, to a maximum distance of five feet. This does not permit a wall or fence in a required yard higher than permitted by this Section. The area between such wall or fence and said retaining wall shall be landscaped and continuously maintained in good condition.
5. **Flag Lots.** Notwithstanding this Subsection B, fences or walls are permitted within any required yard on flag lots to a height not to exceed six feet, pursuant to the approval of a Ministerial Site Plan Review application.
 6. **Fences and Walls Exempted.** Where a fence or wall that is required by any law or regulation of the State of California, and that fence or wall exceeds any height limitation specified by this Title 22, said fence or wall shall be permitted and shall not exceed such required height by any law or regulation of the State of California.
- C. **Landscaping.** Trees, shrubs, flowers and plants may be placed in any required yard, provided that all height restrictions applying to fences and walls shall also apply to hedges planted within yards and forming a barrier serving the same purpose as a fence or wall.

22.80.080 Required Yards

- A. **Yard Determination.** On corner lots, through lots with three or more frontages, flag lots, and irregularly shaped lots, where the provisions of this Title 22 do not clearly establish location of yards and lot lines, the Director shall make such determination.
- B. **Front Yards.**
1. **On Partially Developed Blocks.** Where some lots in a block are improved or partially improved with buildings, each lot in said block may have a front yard of not less than the average depth of the front yards of the land adjoining on either side. A vacant lot, or a lot having more than the front yard required in the zone, shall be considered for this purpose as having a front yard of the required depth.
 2. **On Sloping Terrain.** The required front yard of a lot need not exceed 50 percent of the depth required in a zone where the difference in elevation between the curb level and the natural ground at a point 50 feet from the highway line, measured midway between the side lot lines, is 10 feet or more; or, if there is no curb, where a slope exists of 20 percent or more from the highway line to a point on natural ground 50 feet from said highway line.

Measurement in all cases shall be made from a point midway between the side lot lines.

3. **On Key Lots.** The depth of a required front yard on key lots shall not be less than the average depth of the required front yard of the adjoining interior lot and the required side yard of the adjoining reversed corner lot.

C. Side Yards.

1. **Reversed Corner Lots Adjoining Key Lots.** Where the front yard of a key lot adjoining a reversed corner lot is less than 10 feet in depth, such reversed corner lot may have a corner side yard of the same depth but not less than five feet.
2. **Interior Side Yards on Narrow Lots.** Where a lot is less than 50 feet in width, such lot may have interior side yards equal to 10 percent of the average width, but in no event less than three feet in width.

- D. Rear Yards on Shallow Lots.** Where a lot is less than 75 feet in depth, such lot may have a rear yard equal to 20 percent of the average depth, but in no event less than 10 feet in depth.

E. Limited Secondary Highways.

1. **Supplemental Yard.** A supplemental yard eight feet wide shall be established in all zones along and contiguous to the highway lines of limited secondary highways; any other yard requirements established in other Chapters of this Title 22 shall be in addition to this requirement.
2. **Use of Supplemental Yard.** A person shall not use any building or structure within this supplemental yard except for openwork railings or fences which do not exceed six feet in height and except as permitted within a yard by Subsections A and D of Section 22.80.040 (Accessory Structures and Equipment).
3. **Yard Modification.** The supplemental yard requirement established by this Section may be modified by the Director with a Discretionary Site Plan Review application pursuant to Chapter 22.148 (Discretionary Site Plan Review) where topographic features, subdivision plans or other conditions create an unnecessary hardship or unreasonable regulation or make it obviously impractical to require compliance with this requirement. The Director shall request a recommendation from the Director of Public Works prior to modifying the supplemental yard requirement contained in this Section. The application shall not be approved unless the written concurrence of the Director of Public Works has been received.

22.80.090 Projections into Yards

The following projections are permitted in required yards subject to the provisions of this Title 22 and of Title 26 (Building Code) of the County Code.

- A. **Eaves and Cantilevered Roofs.** Eaves and cantilevered roofs may project a maximum distance of two and one-half feet into any required yard, provided that:

1. Such eaves or cantilevered roofs are not closer than two and one-half feet to any lot line or highway line;
 2. No portion of such eaves or cantilevered roofs are less than eight feet above grade; and
 3. There are no vertical supports within the required yard.
- B. Awnings and Canopies.** Awnings and canopies may project a maximum distance of two and one-half feet into required interior side yard and five feet into required front, rear and corner side yard, provided that:
1. Such structures are not closer than two and one-half feet to any lot or highway line;
 2. Such structures have no vertical support within such yard; and
 3. Such awnings or canopies extend only over the windows or doors to be protected, and for not more than one foot on either side thereof.
- C. Fireplace Structures.** Fireplace structures not wider than eight feet measured in the general direction of the wall of which they are a part, buttresses, and wing walls may project a maximum distance of two and one-half feet into any required yard, provided that:
1. Such structures are not closer than two and one-half feet to any lot or highway line; and
 2. Such structures shall not be utilized to provide closets or otherwise increase usable floor area.
- D. Uncovered Porches, Platforms, Landings and Decks.** Uncovered porches, platforms, landings and decks, including any access stairs exceeding an average height of one foot, which do not extend above the level of the first floor may project a maximum distance of three feet into required interior side yards, and a maximum distance of five feet into required front, rear and corner side yards, provided that:
1. Such porches, platforms, landings and decks shall not be closer than two feet to any lot or highway line; and
 2. Such porches, platforms, landings and decks are open and unenclosed; provided, that an openwork railing not to exceed three and one-half feet in height may be installed.
- E. Rain Conductors.** Rain conductors, spouts, utility-service risers, shut-off valves, water tables, sills, capitals, bases, cornices and belt courses may project a maximum distance of one foot into any required yard.
- F. Equipment.** Water heaters, water softeners and gas or electric meters, including service conduits and pipes, enclosed or in the open, may project a maximum distance of two and one-half feet into a required interior side or rear yard, provided that such structures or equipment are not closer than two and one-half feet to any lot line. Gas meters, if enclosed or adequately screened from view by

a structure permitted in the yard, may project a maximum distance of two and one-half feet into a required front or corner side yard, provided that such equipment is not closer than two and one-half feet to any lot or highway line.

- G. **Stairways and Balconies.** Stairways and balconies above the level of the first floor may project a maximum distance of two feet into a required interior or corner side yard, or four feet into a required front or rear yard, provided that:
1. Such stairways and balconies shall not be closer than three feet to any lot or highway line;
 2. Such stairways and balconies are open and unenclosed; and
 3. Such stairways and balconies are not covered by a roof or canopy except as otherwise provided by Subsection B, above.
- H. **Covered Patios.** Covered patios attached to a dwelling unit may project into a required rear yard, provided that:
1. Such patio roofs are not closer than five feet to any lot line;
 2. No more than 50 percent of the required rear yard is covered by buildings or other roofed structures, except as provided in Section 22.80.030.D (Replacement of Open Space); and
 3. Such patio shall remain permanently open and unenclosed on at least two sides. This provision does not preclude the placement of detachable screens.
- I. **Uncovered Patios.** Uncovered patios shall comply with Section 22.80.030.C (Other Accessory Buildings in Rear Yards).
- J. **Wall and Window Mounted Air Conditioners, Coolers and Fans.** Wall- and window-mounted air conditioners, coolers and fans may be used in any required yard, provided that such equipment is not closer than two and one-half feet to any lot line.

22.80.100 Conversion or Alterations of Building and Structures

No building or structure existing at the time of the effective date of this Section, or by any subsequent amendment to this Section, which is designed, arranged, intended for, or devoted to a use not permitted in the zone in which such building or structure is located, shall be enlarged, extended, reconstructed, built upon or structurally altered unless the use of such building or structure is changed to a use permitted in the zone.

22.80.110 Relocation of Buildings and Structures

- A. **Conditions.** Except as provided in Subsection B, below, no building or structure shall be moved from one lot or premises to another unless such building or structure can be made to conform to all provisions of this Title 22 relative to all building or structures on the new lot or premises, and shall be made to conform to the general character of the existing buildings in the neighborhood, or better.
- B. **For Public Use.** Where a building or structure is lawfully located on property acquired for public use (by condemnation, purchase or otherwise), such building

or structure may be relocated on the same lot, even if such building or structure exists as a nonconforming use or even if it is not in compliance with the area or width regulations of this Title 22. Where any part of such building or structure is acquired for public use, the remainder of such building or structure may be repaired, reconstructed, or remodeled, with the same or similar kind of materials as used in the existing buildings.

22.80.120 Density

A. Density Conversion Table for Residential Zones. Where the letter U is used in combination with a numeral to designate units per net acre on the Zoning Map, Table 22.80.120-A shall be used to determine the required lot area per dwelling unit on lots containing fractional parts of an acre. The number of dwelling units per net acre is expressed in lot area per dwelling unit. Nothing contained in this Section shall be deemed to modify required area as defined in Division 2 (Definitions).

TABLE 22.80.120-A:DENSITY CONVERSION TABLE FOR RESIDENTIAL ZONES	
Dwelling Units Per Net Acre	Lot Area Per Dwelling Unit in Sq. Ft.
1 U	43,560
2 U	21,780
3 U	14,520
4 U	10,890
5 U	8,712
6 U	7,260
7 U	6,223
8 U	5,445
9 U	4,840
10 U	4,356
11 U	3,960
12 U	3,630
13 U	3,351
14 U	3,111
15 U	2,904
16 U	2,723
17 U	2,562
18 U	2,420
19 U	2,293
20 U	2,178
21 U	2,074
22 U	1,980
23 U	1,894
24 U	1,815
25 U	1,742
26 U	1,675
27 U	1,613
28 U	1,556

TABLE 22.80.120-A:DENSITY CONVERSION TABLE FOR RESIDENTIAL ZONES	
29 U	1,502
30 U	1,452
31 U	1,405
32 U	1,361
33 U	1,320
34 U	1,281
35 U	1,245
36 U	1,210
37 U	1,177
38 U	1,146
39 U	1,117
40 U	1,089
41 U	1,062
42 U	1,037
43 U	1,013
44 U	990
45 U	968
46 U	947
47 U	927
48 U	908
49 U	889
50 U	871

B. Zone R-3--Dwelling Unit Density.

1. Property in Zone R-3-()U developed for any residential use shall not exceed the number preceding the letter U specified in the suffix to the zoning symbol. Such required area per dwelling unit shall not exceed 30 units per net acre.
2. The provisions of Table 22.80.120-A, above, shall apply on lots containing fractional parts of an acre.

C. Zone R-4--Dwelling Unit Density.

1. Property in Zone R-4-()U developed for any residential use shall not exceed the number preceding the letter U specified in the suffix to the zoning symbol. Such required area per dwelling unit shall not exceed 50 units per net acre.
2. The provisions of Table 22.80.120-A, above, shall apply on lots containing fractional parts of an acre.

22.80.130 Required Lot Area and Width

- A. Required Lot Area.** Required lot area is established by the zone standards, suffixes to zoning symbols as provided in Section 22.06.020 (Suffixes to Zoning Symbols) and the following provisions:
1. The area of a lot which is shown as a part of a subdivision for purposes of sale, recorded as a final map or filed as a record of Survey Map approved as

- provided in the Subdivision Map Act or as provided in Title 21 (Subdivisions) of the County Code, except that where a lot which otherwise would have been shown as one lot, is divided into two or more lots because of a city boundary line or a line between land the title to which was registered under the Land Title Law (Torrens Title) and land the title to which was not so registered, in which case "required lot area" means the area of such lot; or
2. The area of a lot, the right of possession of which, by virtue of a deed duly recorded, or by a recorded contract of sale, is vested in a person who neither owns nor has a right of possession of any contiguous lot or property; provided, that the deed or contract of sale by which such right of possession was separated has been recorded prior to the adoption by the Board of Supervisors of the ordinance which imposes the area requirements upon such lot; or
 3.
 - a. Where a number follows the zoning symbol and Subsection A.1 or A.2, above, does not apply:
 - i. A gross area, including that portion, if any, subject to a highway easement or other public or private easement where the owner of the servient tenement does not have the right to use the entire surface, of the number of acres shown by such number if such number is less than 100, provided that the portion of the lot not subject to any such easement shall have an area not less than 40,000 square feet, if the lot was established on or after September 22, 1967, or not less than 32,000 square feet if the lot was established before September 22, 1967, or
 - ii. A net area of the number of square feet shown by such number if such number is greater than 100.
 - b. Required area shall not include the access strip of a flag lot extending from the main portion of the lot to the adjoining parkway, highway or street.
 4. Where no number follows the zoning symbol and Subsection A.3.a.i or A.3.a.ii, above, does not apply, the required area is:
 - a. In Zones MXD and C-R, the same as in Zone C-R-5,
 - b. In Zones D-2 and A-C, the same as in Zone D-2-1,
 - c. In Zone A-2, the same as in Zone A-2-10,000,
 - d. In Zones R-1, R-2, R-3-30U, R-4-50U, R-A, RPD, A-1, R-R, CPD and M-3, the same as in Zone R-1-5000;

5. A lot shown as such on a subdivision for the purpose of lease only does not have the required area unless it complies with Subsection A.2, A.3, or A.4, above;
6. The area of a lot created prior to March 4, 1972, for which a certificate of compliance has been granted and for which a Discretionary Site Plan Review application has been approved pursuant to the provisions of Section 21.60.060 (Notices of Violation);
7. The area of a lot for which a Variance application for lot area has been approved shall be deemed to have the required area.

B. Required Lot Width. As used in this Title 22, “required width” means:

1. The average width of a lot which is shown as part of a subdivision recorded as a final map or filed as a Record of Survey Map in accordance with law, except that where a parcel which otherwise would have been shown as one lot is divided into two or more lots because of the city boundary line or a line between land, the title to which is registered under the Land Title Law (Torrens Title) and land the title to which is not so registered in which case the “required width” means the average width of such lot;
2. The average width of a lot, the right of possession of which, by virtue of a deed duly recorded, or by a recorded contract of sale, is vested in a person who neither owns nor has the right of possession of any contiguous lot, provided that the deed or contract of sale by which such right of possession was separated has been recorded prior to the adoption by the Board of the ordinance which imposes the width requirement upon such lot;
3. The width specified by any legislative restriction except in those cases in which the Hearing Officer, in approving a tentative map of a subdivision as provided in Title 21 (Subdivisions) of the County Code, finds, pursuant to Section 21.52.010 (Procedures – Submittal and determination) of such Title that such width should be modified;
4. An average width of 60 feet if the required area is 7,000 square feet or more;
or
5. An average width of 50 feet where there is a required area and such required area is less than 7,000 square feet. If there is no required area, there is no required width.
6. Exceptions.
 - a. Neither Subsection B.4 nor B.5, above, applies except in the Lancaster District No. 31 and Palmdale District No. 54, which are established in Section 22.06.060 (Zoned Districts Established).
 - b. Except in the zoned districts in Subsection B.6.a, above, and except where a legislative restriction requires an average width of 60 feet, the average width of a lot created pursuant to Section 22.80.160

(Resubdivision Conditions for Undersized or Underwidth Lots) need not be more than 50 feet even if the required area is 7,000 square feet or greater.

22.80.140 Required Lot Area or Width for Specific Circumstances

- A. **Required Area—For a Housing Permit.** Where a Housing Permit application for qualified projects is approved, lot area and/or lot area per dwelling unit requirements specified by said approval shall be deemed the required area and/or required area per dwelling unit established for the lot or the lots where approved.
- B. **Required Area—Reduced by Certain Public Uses—Computation.** If a lot has not less than the required area, and after creation of such lot a part thereof is acquired for a public use other than for highway purposes, in any manner including dedication, condemnation or purchase, and if the remainder of such lot has not less than 80 percent of the area indicated by the number which follows the zoning symbol, such remainder shall be considered as having the required area. If no number follows the zoning symbol, the following numbers shall be deemed to follow the zoning symbol:
1. The number 5 in Zone C-R;
 2. The number 1 in Zone D-2;
 3. The number 10,000 in Zone A-2;
 4. The number 5,000 in Zones R-1, R-2, RPD, R-A, A-1, R-R, CPD and M-3.
- C. **Required Area--Reduced for Highways—Conditions.** If a lot has not less than the required area and after the creation of such lot a part thereof is acquired for highway purposes exclusively, in any manner including dedication, condemnation or purchase, and if the remainder of such lot has not less than 75 percent of the required area, then such remainder shall be considered as having the required area, provided the remaining portion of said lot has an area of not less than 2,500 square feet, or an area as is otherwise provided herein. The Director, without notice of hearing, may approve a reduction of lot area to 75 percent of the required area where the remaining lot would have less than 2,500 square feet, but not less than 2,000 square feet, where topographic features, subdivision design or other conditions create an unnecessary hardship or unreasonable limitation making it obviously impractical to comply with the stated minimum.
- D. **Required Width--Reduced by Public Use—Conditions.** If a lot has not less than the required width, and after the creation of such lot a part thereof is acquired for public use in any manner, including dedication, condemnation or purchase, if the remainder of such lot has an average width of not less than 40 feet, such remainder shall be considered as having the required width.
- E. **Conveyance or Division of Land—Lot Area and Width Restrictions.** Except a conveyance for public use or as otherwise provided in this Chapter, a person shall not divide any lot, and shall not convey any lot or any portion thereof, if as a

result of such division or conveyance the area or average width of any lot is so reduced, or a lot is created, which lot has an area or average width less than:

1. Sufficient so that the number and type of structures on such resulting lot comply with the provisions of this Chapter;
2. The required area, or required width, if any portion of such lot is in Zone R-1, R-2, R-3, R-4, R-A, A-1, A-2, C-R, D-2 or M-3; or
3. The required area or required width, if any portion of such lot is in Zone RPD or CPD, except as otherwise provided in this Section, or by a Conditional Use Permit for a planned residential or commercial development pursuant to Section 22.18.050 (Development Standards and Regulations for Zone RPD) or Section 22.20.090 (Development Standards for Zone CPD).

F. **Temporary Dwellings.** The provisions of this Chapter do not prohibit the use for residential purposes of any temporary building on any such lot in Zones R-1, R-2, R-A, A-1, or A-2, pending the construction and completion of a permanent residence building thereon, in the event that such temporary building contains an aggregate floor area of not to exceed 400 square feet and the nearest portion thereof is located 75 feet or more from the front line of such lot, if in Zones R-1, R-A or R-2, or not less than 50 feet from the street or highway upon which such property fronts if in Zones A-1 or A-2, and in the further event that such temporary buildings and each portion thereof is distant not less than 30 feet from the designated site of such permanent building and each portion thereof.

G. **Sales—Portions of Lots.** Where a portion of a lot is sold or transferred and as a result of such sale or transfer one or more lots are created of such an area that the number and locations of the buildings thereon no longer conform to the requirements of this Chapter, then, in the determination of the permissible number and location of any buildings on any other lot so created by such sale or transfer, the portion sold or transferred and the remainder shall be considered as one lot.

H. **Sales—Contracts Voidable When.** Any deed of conveyance, sale or contract to sell made contrary to the provisions of this Chapter is voidable at the sole option of the grantee, buyer or person contracting to purchase, his heirs, personal representative or trustee in insolvency or bankruptcy within one year after the date of execution of the deed or conveyance, sale or contract to sell, but the deed of conveyance, sale or contract to sell is binding upon any assignee or transferee of the grantee, buyer or person contracting to purchase, other than those above enumerated, and upon the grantor, vendor or person contracting to sell, his assignee, heir or devisee.

I. **Zones R-1, R-A, RPD, A-1, and A-2--Required Area.** No person shall use any main buildings or structures in Zones R-1, R-A, RPD, A-1, or A-2 unless the lot on which they are located has the required area as specified in this Chapter for each such building or structure. This provision shall not apply to accessory buildings or structures, senior citizen residences, or second units.

J. **Zone R-2—Restrictions.**

1. **Use Restrictions on Certain Undersized Lots.** A person shall not erect, construct, occupy, use, alter, or enlarge more than one building or structure on any lot in Zone R-2 which has less than twice the required area, except:
 - a. Accessory buildings permitted in Zone R-2; or
 - b. A single-family residence as specifically permitted by this Chapter.
2. **More than One Building per Lot—Restrictions.** A person shall not erect, construct, occupy, use, alter or enlarge more than one building or structure per required area on any lot in Zone R-2, except:
 - a. Accessory buildings permitted in Zone R-2;
 - b. One single-family residence, together with accessory buildings customary to such use permitted in Zone R-1, if there are no other buildings or structures thereon, may be used:
 - i. On a lot having the required area, or
 - ii. On an area equal to half the required area, but in no event less than 2,500 square feet; or
 - c. A two-family residence, together with accessory buildings customary to such use permitted in Zone R-2, if there are no other buildings or structures thereon, may be used on a lot having the required area and an area not less than:
 - i. 4,000 square feet if no number follows the zoning symbol, or
 - ii. The area designated by the number following the zoning symbol.

22.80.150 Substandard Lots

- A. **Required Area for Undersized Lots.** If, as a result of the normal division of an undersized section of land, a lot would be created having less than the required area, such lot shall be considered as having the required area, provided that:
 1. In no event shall more lots be created under this Section than would result from the breakdown of a normal section of land in the same zone;
 2. This Section shall apply only to lots when division of a normal section would create lots having not less than a minimum gross area of two and one-half acres;
 3. The total reduction of all lots in a division of an undersized section shall not exceed 10 percent;
 4. No lot shall be created which contains less than a minimum gross area of two and one-quarter acres; and
 5. The creation of such lots shall meet all the requirements of Title 21 (Subdivisions) of the County Code.

- B. Substandard Area or Width.** A building or structure shall not be erected, constructed, altered, enlarged, occupied or used in Zones R-1, R-2, R-A, A-1 or A-2 on any lot which has less than the required area or the average width of which is less than the required width, except that one single-family residence and such other structures as are permitted in Zone R-1 may be erected, constructed, altered, enlarged, occupied and used on a lot in Zone R-2 the average width of which is not less than the required width and has an area of not less than 2,500 square feet.

22.80.160 Resubdivision Conditions for Undersized or Underwidth Lots

A. Undersized Lots.

1. The owner of two or more contiguous lots, one or more of which has an area less than that indicated by the number which follows the zoning symbol, or, if no number follows the zoning symbol, less than five acres if in Zone C-R, or less than 10,000 square feet in Zone A-2, or less than 5,000 square feet in any other zone, may file a map with the Director resubdividing such lots into the same number or a lesser number of lots. The Director may approve such map if:
 - a. The lot on such map having the smallest area has an area not less than the original lot having the smallest area;
 - b. The lot on such map having the narrowest average width has an average width not less than that of the original lot the least average width, except that such average width need not be more than 60 feet if the required area is 7,000 square feet or more and need not be more than 50 feet in other cases; and
 - c. The division made by such map tends to promote the public health, safety, comfort, convenience, general welfare, and other purposes of this Title 22 to a greater extent than the division into the original lots.
2. Each lot shown on a map approved by the Director pursuant to this Section shall be deemed to have the required area.

B. Underwidth Lots.

1. The owner of two or more contiguous lots, one or more of which has an average width of less than 50 feet if the required area is less than 7,000 square feet or of less than 60 feet if the required area is 7,000 square feet or more, may file a map with the Director resubdividing such lots into the same or a lesser number of lots. The Director may approve such maps if:
 - a. The areas of the lots created by such map are either equal to the required area or could be approved pursuant to Subsection A, above;
 - b. The lot on such map having the narrowest average width, has an average width not less than that of the original lot of land having the least average

width, except that such average width need not be more than 60 feet if the required area is 7,000 square feet or more and need not be more than 50 feet in other cases; and

- c. The division made by such map tends to promote the public health, safety, comfort, convenience, general welfare, and other purpose of this Title 22 to a greater extent than the division into the original lots.
2. Each lot shown on a map approved by the Director pursuant to this Section shall be deemed to have the required width.

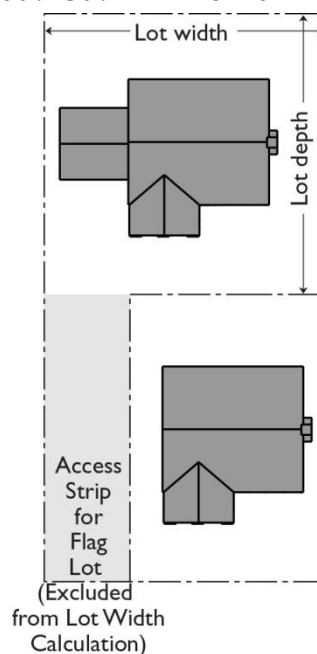
C. Contiguous Narrow Lots.

1. Where, prior to the territory being zoned R-1, R-2, R-A, A-1 or A-2, lots exist not less than 100 feet deep but less than 50 feet wide, if two or more such contiguous lots, or one or more such contiguous lots and one or more lots also contiguous thereto which have a depth of not less than 100 feet, have a total frontage of not less than 50 feet, such lots may be treated and considered as one lot.
2. If such lot is in Zone R-1, R-A, A-1 or A-2, two single-family dwellings may be constructed thereon and so used. If such lot is in Zone R-2, two single-family dwellings or two two-family dwellings or one single-family dwelling and one two-family dwelling may be constructed thereon and so used.

22.80.170 Flag Lots

- A. **Measurement.** Average width and depth of flag lots shall exclude the access strip for the lot.

FIGURE 22.80.130.D: FLAG LOT WIDTH AND DEPTH



- B. **Development.** The development of a single-family residence on a flag lot shall comply with the following:

1. **Yards.**

- a. Front, side and rear yards required by this Title 22 shall be established on the main portion of a flag lot exclusive of the access strip.
- b. In lieu of any yard required by this Title 22, a uniform distance of 10 feet from all lot lines may be substituted.

2. **Access Strip.** The access strip shall be maintained clear except for driveways, landscaping, fences or walls, which shall be subject to the same requirements specified for yards on adjoining properties fronting on the same parkway, highway or street.

22.80.180 Modifications Authorized

The Director or the Director of Public Works, without notice or hearing, may grant a modification to yard or setback regulations required by this Title 22 or any other ordinance where topographic features, subdivision plans or other conditions create an unnecessary hardship or unreasonable regulation or make it obviously impractical to require compliance with the yard requirements or setback line, except for the supplemental yards established contiguous to limited secondary highways which only may be modified in accordance with Section 22.80.080.E (Limited Secondary Highways). The Director of Public Works shall notify the Director of Planning of all modifications which the Director of Public Works has granted.

22.80.190 Modifications for Public Sites

The Commission or Hearing Officer, without notice or hearing, may grant a modification of yard and setback regulations for public sites unless such modification would be incompatible with adjoining development.

Chapter 22.82 Parking

(See draft in separate file.)

Chapter 22.84 Signs

Sections:

22.84.010	Purpose
22.84.020	Definitions
22.84.030	Applicability
22.84.040	Application and Review Required
22.84.050	Exempt Signs
22.84.060	Prohibited Signs
22.84.070	General Standards and Measurement
22.84.080	Business Signs in Agricultural and Special Purpose Zones
22.84.090	Wall Business Signs
22.84.100	Projecting Business Signs
22.84.110	Roof and Freestanding Business Signs
22.84.120	Roof and Freestanding Business Signs for Lots with Special Circumstances
22.84.130	Freeway-Oriented Business Signs
22.84.140	Outdoor Advertising Signs
22.84.150	Portable Outdoor Advertising Signs
22.84.160	Incidental Business Signs
22.84.170	Special-Purpose Signs
22.84.180	Temporary Subdivision and Real Estate Signs
22.84.190	Temporary Signs
22.84.200	Nonconforming and Illegal Signs

22.84.010 Purpose

This Chapter establishes comprehensive sign regulations for the placement, erection and maintenance of signs in unincorporated areas of the County. These regulations provide equitable standards for the protection of property values, visual aesthetics and the public health, safety and welfare while still providing ample opportunities for businesses to identify and advertise their services and for the visual advertising industry to operate successfully and effectively.

22.84.020 Definitions

Specific term(s) used in this Chapter are defined in Division 2 (Definitions), under "Signs".

22.84.030 Applicability

- A. **Compliance with Regulations.** No sign shall be erected and/or maintained in any zone except as specifically permitted in this Title 22 and subject to all regulations and conditions therein.

B. Signs for Uses Approved by Conditional Use Permit in Residential, Agricultural or Watershed Zones. Notwithstanding the sign provisions prescribed in this Chapter:

1. In granting a Conditional Use Permit, the Commission or Hearing Officer may approve signs deemed appropriate for a use in a Residential, Agricultural or Watershed Zones. Signs granted in accordance with this Subsection B.1 shall be limited to signs permitted in Zone C-1 in this Chapter.
2. If the Commission or Hearing Officer does not specifically approve signs at public hearing in accordance with Subsection B.1, above, then the signs regulations prescribed for Residential, Agricultural or Watershed Zones in this Chapter shall apply.

22.84.040 Application and Review Required

A Ministerial Site Plan Review application shall be required for all signs, except for signs as provided for under Section 22.84.050 (Exempt Signs) and Section 22.84.060 (Prohibited Signs), or unless another application is specified by this Title 22.

22.84.050 Exempt Signs

The following signs are exempt from the regulations of this Chapter:

- A. Official notices issued by any court, public body or public officer;
- B. Notices posted by any public officer in performance of a public duty, or for any person in giving legal notice;
- C. Traffic, directional, warning or informational signs required or authorized by the public authority having jurisdiction;
- D. Official signs used for emergency purposes only;
- E. Permanent memorial or historical signs, plaques or markers;
- F. Public utility signs, provided such signs do not exceed three square feet in area; and
- G. Except where otherwise specifically provided by this Title 22, sign regulations established pursuant to this Chapter shall not apply to signs within a building, arcade, court or other similarly enclosed area where such signs are not visible to the public without entering such facilities.

22.84.060 Prohibited Signs

Signs that contain or utilize any of the following features are prohibited in all zones:

- A. Revolving signs, all or any portion of which rotate at a speed exceeding six revolutions per minute;

- B. Exposed incandescent lamps with a rated wattage in excess of 40 watts or that contain either internal or external metallic reflectors;
- C. Revolving beacon lights;
- D. Sign lighting using exposed incandescent lamps that exceed a rated wattage of 25 watts in Zones A-1, A-2, O-S, R-R and W;
- E. Continuous or sequential flashing, other than signs displaying time of day, atmospheric temperature or having programmable electronic messages, in which:
 - 1. More than one-third of the lights are turned on or off at one time, or
 - 2. The operation is located less than 100 feet on the same side of the street or highway from a property in a Residential or Agricultural Zone;
- F. Systems for display of time of day, atmospheric temperature or programmable electronic messages in which:
 - 1. The display has any illumination that is in continuous motion or that appears to be continuous motion,
 - 2. The message is changed at a rate faster than one message every four seconds,
 - 3. The interval between messages is less than one second,
 - 4. The intensity of illumination changes, or
 - 5. The display is located less than 100 feet on the same side of the street or highway from a property in a Residential or Agricultural Zone;
- G. Signs advertising or displaying any unlawful act, business or purpose;
- H. Devices dispensing bubbles and free-floating particles of matter;
- I. Any notice, placard, bill, card, poster, sticker, banner, sign, advertising or other device calculated to attract the attention of the public that any person posts, prints, sticks, stamps, tacks or otherwise affixes, or causes the same to be done to or upon any street, right-of-way, public sidewalk, crosswalk, curb, lamppost, hydrant, tree, telephone pole or lighting system, or upon any fixture of the police or fire alarm system of the county, with the exception of public transportation signs specifically permitted by Section 22.84.050 (Exempt Signs);
- J. Any strings of pennants, banners or streamers, clusters of flags, strings of twirlers or propellers, flares, balloons or similar attention-getting devices, including noise-emitting devices, with the exception of the following:

1. National, state, local governmental, institutional or corporate flags, properly displayed, and
 2. Holiday decorations, in season and not advertising a product or sale, used for an aggregate period of no more than 60 days in any one calendar year;
- K. Devices projecting or otherwise reproducing the image of a sign or message on any surface or object;
- L. Signs emitting or amplifying sounds for the purpose of attracting attention;
- M. Inflatable signs, balloons or other similar devices;
- N. Portable signs, except as otherwise specifically permitted by this Chapter; and
- O. Temporary signs, except as otherwise specifically permitted by this Chapter.

22.84.070 General Standards and Measurement

The requirements of this Section apply to signs in all zones, unless otherwise provided by this Title 22.

A. Measurement.

1. *Surface Area of Individual Sign Faces.*

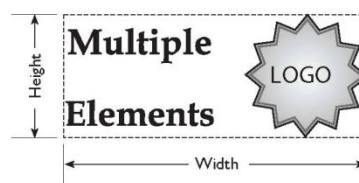
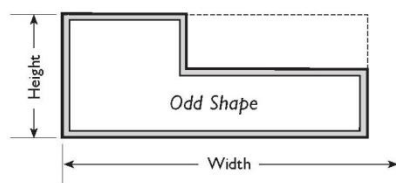
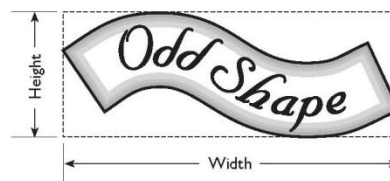
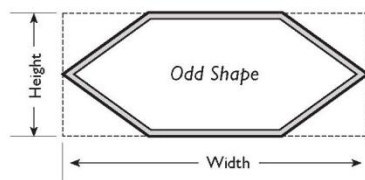
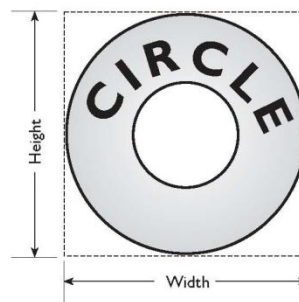
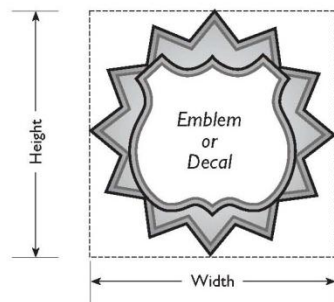
- a. *Calculation.* The surface area of any sign face shall be computed from the smallest circle, square, triangle or rectangle which will enclose all words, letters, figures, symbols, designs and pictures, together with all framing background material, colored or illuminated areas, and attention-attracting devices that form an integral part of the overall display, but excluding all support structures. For example: Figure 22.84.070-A, below.
- b. *Exceptions.*
 - i. Superficial ornamentation or symbol-type appendages of a non-message-bearing character which do not exceed five percent of the surface area shall be exempted from computation;
 - ii. Wall signs painted on or affixed directly to a building wall, façade or roof, and having no discernible boundary, shall have the areas between letters, words intended to be read together, and any device intended to draw attention to the sign message included in any computation of surface area;
 - iii. Signs placed in such a manner, or bearing a text, as to require dependence upon each other in order to convey meaning shall be

considered one sign and the intervening areas between signs included in any computation of surface area; and

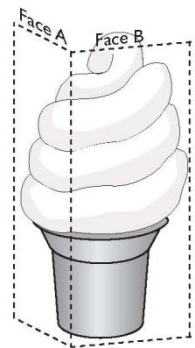
- IV.** Spherical, cylindrical or other three-dimensional signs not having conventional sign faces will be considered to have two faces and the area of each sign face will be computed from the smallest three-dimensional geometrical shapes which will best approximate the actual surface area of the sign face.

FIGURE 22.84.070-A:SIGN AREA

Sign Area = Height x Width

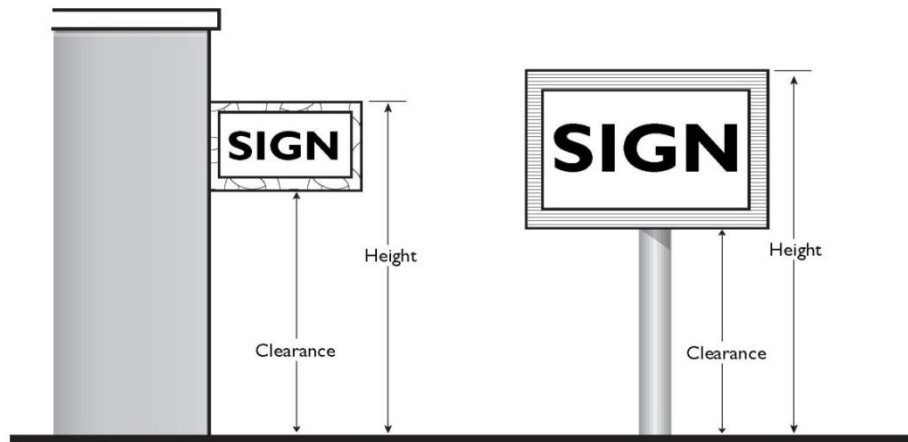


Sign Area = Sum of Two Adjacent Sides



2. **Height.** The height of all signs shall be measured from the highest point of the sign, exclusive of any part of the sign not included in area calculations. For example: Figure 22.84.070-B, below.

FIGURE 22.84.070-B: MEASURING SIGN HEIGHT



3. ***Building Frontage Determination.*** Building frontage shall be measured continuously along the building wall for the entire length of the business establishment, including any portion of the building which is other than parallel to the remainder of the wall. For example: Figure 22.84.070-C, below.

Since these building sides have entrances regularly used by the public but are not considered building frontages, they are each permitted 1 sign which does not exceed 1/2 of the sign area permitted on the building frontage.

An entrance located at a corner of 2 building sides is considered to be an entrance on each side.

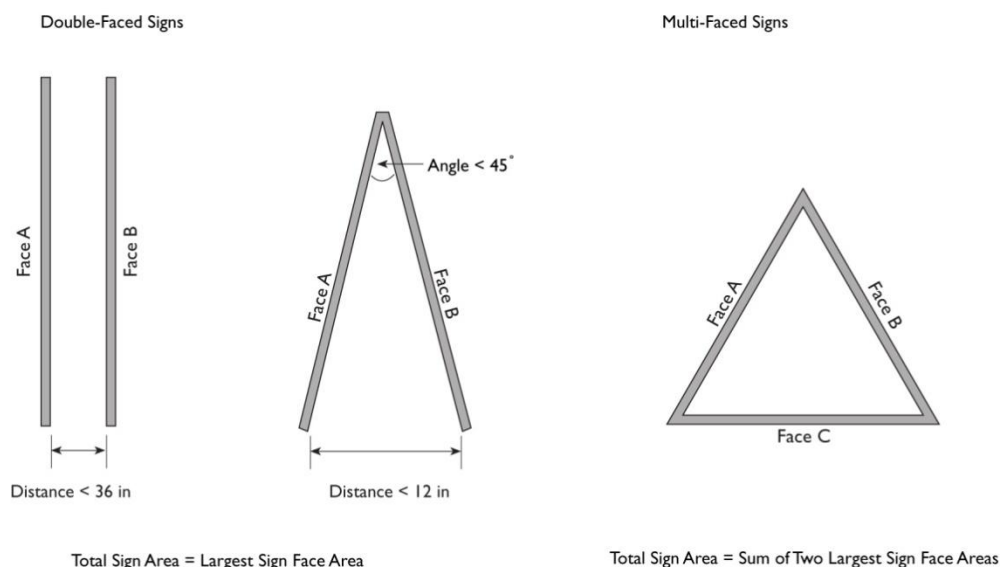
Business having an entrance regularly used by the public on a building side not considered building frontage may have 1 sign which does not exceed 1/2 of the sign area permitted on building frontage.

1. Permitted sign area shall not exceed the maximum area permitted by this Chapter.
2. Building and street frontage may only be used once for each calculation of permitted sign area.
3. Permitted sign area shall only be displayed for the side of the building or street for which it was calculated.
4. Permitted sign area shall only be used for the type of sign for which it was calculated.

C. Sign Faces.

1. **Number of Sign Faces.** Signs may be single, double, V-shaped, or multi-faced.
2. **Double-Faced Signs.** The distance between the faces of any double-faced sign, other than a V-shaped projecting, is 36 inches or less.
3. **V-Shaped Signs.** The separation between the intersecting faces of any V-shaped, multi-faced sign or a double-faced sign is 12 inches or less.
4. **Examples.** For example: Figure 22.84.070-D, below.

FIGURE 22.84.070-D: STANDARDS AND AREA CALCULATION FOR DOUBLE- AND MULTI-FACED SIGNS



D. **Height.** Signs shall not exceed the maximum height permitted by this Chapter.

E. Lighting.

1. Signs may be internally, externally and indirectly lit.
2. Sign lighting shall be directed or beamed in a manner that does not cause glare or illuminate a public street, highway, sidewalk, or adjacent premises to a degree that may constitute a traffic hazard or nuisance.

F. **Design.** All signs shall be designed in the simplest form and lie free of any bracing, angle-iron, guy wires, cables or similar devices.

G. **Maintenance.** Signs and related sign support structures shall be maintained in the following manner:

1. Signs shall be maintained in good repair;
 2. Sign display surfaces shall be kept neatly painted or posted;
 3. The exposed backs of all signs visible to the public shall be suitably covered, finished and properly maintained; and
 4. Any sign located on vacant and unoccupied property, and which was erected for an occupant or business unrelated to the present occupant or business, or any sign which pertains to a time, event or purpose which no longer exists, shall be removed within 90 days after the purpose for or the use utilizing such sign has been removed from such property.
- H. **Orientation.** Signs shall be oriented to be viewed from the side of the building or street in which the sign area was calculated.
- I. **Changeable Copy.** Sign may have changeable copy.
- J. **Substitution of Message.** A sign containing a noncommercial message may be substituted for any sign containing a commercial message that is allowed by the regulations of this Chapter.
- K. **Projection into the Public Right-of-Way.** Sign which project over the public right-of-way are subject to the requirements of Title 26 (Building Code) of the County Code.

22.84.080 Business Signs in Agricultural and Special Purpose Zones

- A. **Applicability.** Business signs, including freestanding, wall and projecting business signs, are permitted in Zones A-1, A-2, O-S, SR-D, P-R, B-1 and W.
- B. **General Requirements.**
1. **Movement.** Signs shall not rotate, move or simulate motion in any way.
 2. **Content.** In Zone B-1, sign content is restricted to the business use in an adjoining zone located on the same lot.
 3. **Lighting.** Signs with continuous or sequential flashing operation is prohibited.
- C. **Number and Area.** Signs shall comply with Table 22.84.080-A, below, for the maximum number of signs and maximum sign area.

Table 22.84.080-A: Maximum Number of Signs and Maximum Sign Area		
Zones	Maximum Number of Signs Per Lot	Maximum Area Per Sign
A-1, A-2, O-S, W	1 sign	12 square feet
SR-D, P-R, B-1	2 signs	30 square feet per sign area, or

Table 22.84.080-A:Maximum Number of Signs and Maximum Sign Area		
<i>Zones</i>	<i>Maximum Number of Signs Per Lot</i>	<i>Maximum Area Per Sign</i>
		60 square feet total sign area

D. Height.

1. Freestanding business signs and wall and projecting business signs shall comply with Table 22.84.110-B, below.

Table 22.84.110-B:Maximum Sign Height for Freestanding, Wall and Projecting Business Signs	
<i>Sign Type</i>	<i>Maximum Sign Height</i>
Freestanding Businesses Signs	15 feet, measured vertically from ground level at the base of the sign
Wall and projecting business signs	Signs shall not extend more than one-third of the height of such signs, or three feet, whichever is less, above the lowest point of a roof or highest point of a parapet wall

2. Roof business signs comply with the following:
 - a. Signs shall comply with Table 22.84.080-C, below, for maximum sign height.

Table 22.84.080-C:Maximum Sign Height for Roof Business Signs	
<i>Zone</i>	<i>Maximum Sign Height</i>
A-1, A-2	5 feet
SR-D, P-R	7 feet

- b. Such heights shall be measured from the highest point of the roof directly under the sign, exclusive of parapet walls or penthouse structures.
- c. No sign shall extend below the lowest point of a roof or the highest point of a parapet wall.

E. Location.

1. Freestanding business signs shall be placed:
 - a. A minimum of 25 feet from any lot line, excluding one adjoining a street or highway; and
 - b. A minimum of 10 feet from any lot line adjacent to the street, highway or parkway within a required front or corner side yard.
2. Projecting business signs shall be placed a minimum distance equal to 25 percent of the building length from any building corner.

F. Projection.

1. Wall business signs may project a maximum of 18 inches from the building or permanently roofed structure to which they are attached.
2. Freestanding business signs shall not project over the roof of any building or structure.

G. Alternative Sign Standards for Zones P-R and B-1.

1. Where a zone boundary divides a lot so that:
 - a. A P-R or B-1 Zone separates commercial or industrial property from a street or highway upon which said property would otherwise front, such P-R or B-1 Zone may be considered as a part of the Commercial or Industrial Zone for purposes of determining the number, sign area and location of freestanding business signs permitted on that specific frontage; and/or
 - b. A P-R or B-1 Zone and a Commercial or Industrial Zone front on the same street or highway, said P-R or B-1 Zones may be considered as a part of the Commercial or Industrial Zone for the purpose of determining the number, sign area and location of freestanding business signs permitted on that specific frontage; provided, that such sign or signs shall not be erected in a P-R or B-1 Zone.
2. In all such instances, the signing permitted by this Subsection G shall be in lieu of the signing permitted in a P-R or B-1 Zone by this Section 22.84.080 (Business Signs in Agricultural and Special Purpose Zones).

22.84.090 Wall Business Signs

A. **Applicability.** Wall business signs are permitted in Zones C-H, C-1, C-2, C-3, C-M, C-R, M-1, M-1.5, M-2, M-2.5, M-3 and R-R.

B. General Requirements.

1. **Multiple Signs.** Any number of signs is permitted, provided that the sum of the sign areas does not exceed the maximum permitted sign area established for a specific building frontage.
2. **Buildings with Multiple Tenants.** Any commercial building containing leased space for individual retail and service businesses is considered a single establishment for the purpose of computing the sign area permitted on the exterior walls of such building.
3. **Steep Sloping Roofs.** Any actual or false roof varying 45 degrees or less from a vertical plane may be considered an extension of the building wall for the purpose of wall business sign placement.

C. Area.

1. Each ground-floor business establishment fronting on and/or oriented toward one or more public street, highway or parkway shall be permitted:
 - a. In Zones C-H, C-1 and R-R a maximum of two square feet of wall sign area for each one linear foot of building frontage; and
 - b. In Zones C-2, C-3, C-M, C-R, M-1, M-1.5, M-2, M-2.5 and M-3, a maximum of three square feet of wall sign area for each one linear foot of building frontage.
2. Where a ground-floor business establishment fronts only on a parking lot, alley, open mall, landscaped open space or other public way, the exterior building wall facing such parking lot, alley, open mall, landscaped open space or other public way shall be considered a building frontage for purposes of computing permitted wall sign area.
3. A ground-floor business establishment having entrances intended for and regularly utilized by the public on the side of a building not considered to be building frontage by this section shall be permitted one wall sign on each such side, provided the sign does not exceed one-half the sign area permitted on the building frontage of said business. Where a business has more than one building frontage recognized by this section, an average of the permitted sign areas shall be used in computation.
4. In addition to Subsection C.1, above, in all listed zones, each ground-floor business establishment is permitted a minimum sign area of 20 square feet for each building frontage.
5. A ground-floor business establishment that fronts a street but having entrances intended for and regularly used by the public on the side of a building not considered to be building frontage by this Section shall be permitted one wall business sign on each such side, provided the sign does not exceed one-half the sign area permitted on the building frontage of said business. Where a business has more than one building frontage recognized by this Section, an average of the permitted sign areas shall be used in computation.
6. Each business establishment located on the ground or second floor that does not have a building frontage shall be permitted a maximum of two square feet of sign area facing the street or highway in all listed zones.

D. Height. Signs shall not exceed the height of:

1. The highest point, exclusive of any roof structures, of that portion of a false or actual roof having a slope of 45 degrees or less from the vertical plane;
 2. The highest point of a parapet wall, except that such sign may extend one-third of its height or five feet, whichever is less, above a parapet wall, provided that the new parapet line created by the sign is approximately parallel to the existing parapet line and is established for at least 80 percent of the building frontage; or
 3. The lowest point of a sloping roof, except that such sign may extend four feet above the eave line, provided that the new eave line created by the sign is approximately parallel to the existing eave line is established for at least 80 percent of the building frontage.
- E. **Projection.** Signs may project a maximum of 18 inches from the building wall or permanent roofed structure to which they are attached.

22.84.100 Projecting Business Signs

- A. **Applicability.** Projecting business signs are permitted in the same zones as wall business signs.
- B. **General Requirements.**
1. **Multiple Signs.** A projecting business sign is not permitted on the same lot as a roof or freestanding business sign for the same business.
 2. **Movement.** Signs shall not rotate, move or simulate motion in any way.
- C. **Area.**
1. Each ground-floor business may substitute projecting sign area for wall sign area. There shall be a corresponding reduction in permitted area for wall signs.
 2. Each ground-floor business establishment shall be permitted 0.5 square feet of sign area for each one square foot of permitted wall sign area.
 3. If a projecting business sign has two or more faces, the maximum total sign area that shall be permitted is twice the sign area permitted for that sign.
- D. **Height.** Signs shall not exceed:
1. The highest point of a parapet wall, except that such sign may extend one-third of its height or five feet, whichever is less, above a parapet wall, provided that the new parapet line created by the sign is approximately parallel to the existing parapet line, is established for at least 80 percent of the building frontage; or

2. The lowest point of a sloping roof, except that such sign may extend four feet above the eave line, provided that the new eave line created by the sign is approximately parallel to the existing eave line and is established for at least 80 percent of the building frontage.

E. Location. Sign location shall be:

1. Displayed only on the side of the building for which it was calculated, except where permitted at the corner of a building. Where a projecting business sign is located at the corner of two intersecting building frontages, such sign shall not exceed the permitted projecting business sign area of the smallest frontage, and there shall be a corresponding reduction in permitted projecting business sign area of both frontages.
2. Placed a minimum distance equal to 25 percent of the length of the business establishment from:
 - a. The closest business establishment located in the same building; or
 - b. A separate building where the separation is less than 25 feet.
3. Placed a minimum distance of 50 feet from any other projecting business sign of the same business on any frontage where such sign is visible.
4. Signs are prohibited if the same business has a roof or freestanding business sign.

F. Projection, Clearance and Width.

1. Signs shall not project beyond the face of the building in excess of the standards set forth according to:
 - a. Table 22.84.100-A:Projection, Minimum Clearance and Maximum Sign Width;
 - b. Figure 22.84.100-A:Projection and Minimum Clearance;
 - c. Figure 22.84.100-B:Maximum Sign Width, below; and
 - d. Figure 22.84.100-C:Projecting Business Sign – Building View, below.
2. Signs shall not project into any alley or parking area when located below a height of 14 feet, nor shall such sign project more than one foot when located above a height of 14 feet over such alley or parking area.

Table 22.84.100-A:Projection, Minimum Clearance and Maximum Sign Width		
Projection from Wall or	Minimum Overhead Clearance	Maximum Sign Width ¹

Building		
1 foot	8 feet	-
2 feet	10 feet	-
3 feet	12 feet	3 feet
4 feet	14 feet	2.5 feet
5 feet	16 feet	2 feet
1. "V" type signs shall comply with minimum overhead clearance and maximum sign width based on the building projection.		

1.

FIGURE 22.84.100-A:PROJECTING BUILDING SIGN—SIDE VIEW

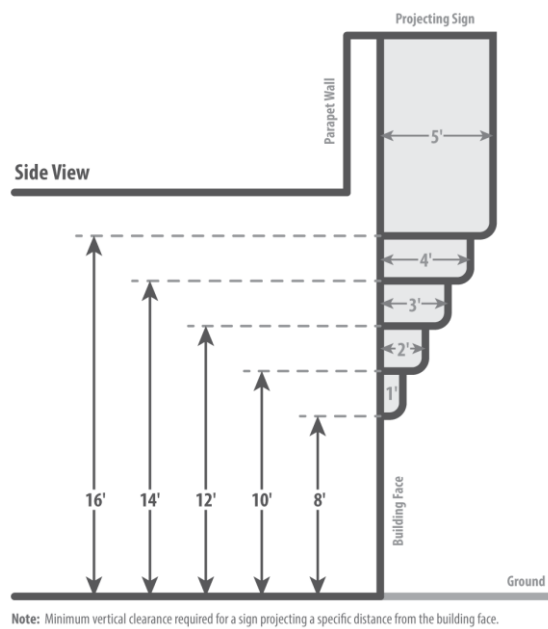
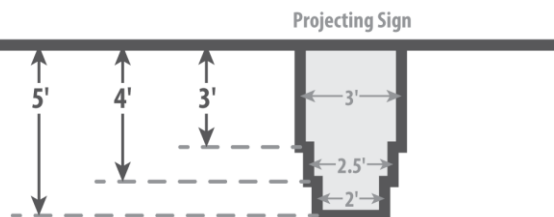


FIGURE 22.84.100-

**BUSINESS
AERIAL**

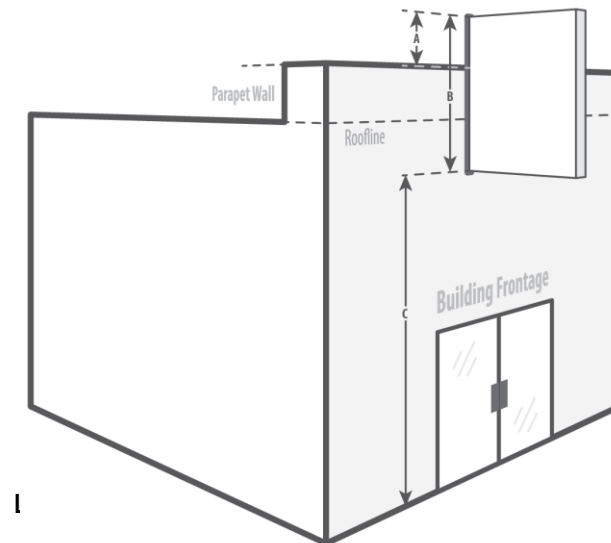
Aerial View
Building Face



B:PROJECTING

**SIGN—
VIEW**

FIGURE 22.84.100-C:PROJECTING BUSINESS SIGN – BUILDING VIEW



- A =** Height of sign that projects above wall or parapet wall of building.
(1/3 of overall sign height or 5 ft; whichever is less)
- B =** Maximum permitted height of sign
- C =** Minimum vertical clearance from bottom of sign to ground.

22.84.110 Roof and Freestanding Business Signs

A. Applicability. Roof and freestanding business signs are permitted in Zones C-H, C-1, C-2, C-3, C-M, C-R, M-1, M-1.5, M-2, M-2.5 M-3 and R-R.

B. General Requirements.

1. Prohibited.

- a. A roof or freestanding business sign is not permitted on the same lot as a projecting business sign for the same business.
- b. Rotating or revolving roof signs are prohibited.

2. Frontage. Signs are permitted on a lot having a street, highway or parkway frontage that has:

- a. A continuous distance of 100 feet or more;

- b. A combined distance of 100 feet, in accordance with Section 22.84.120 (Roof and Freestanding Business Signs with Special Circumstances); or
- c. Less than 100 feet of frontage, in accordance with Section 22.84.120 (Roof and Freestanding Business Signs with Special Circumstances).

3. **Multiple Signs.**

- a. Roof and freestanding signs are permitted in any combination, provided that the sum of the sign areas will not exceed the maximum permitted sign area established herein for a specific frontage or combination of frontages, and that the signs conform to all other requirements of this Section.
- b. If a sign has two or more faces, the maximum total sign area that shall be permitted is twice the sign area permitted for that sign.
- c. Rotating or revolving freestanding business signs are permitted in compliance with Subsection E, below, if no other freestanding or roof signs are on the premises.

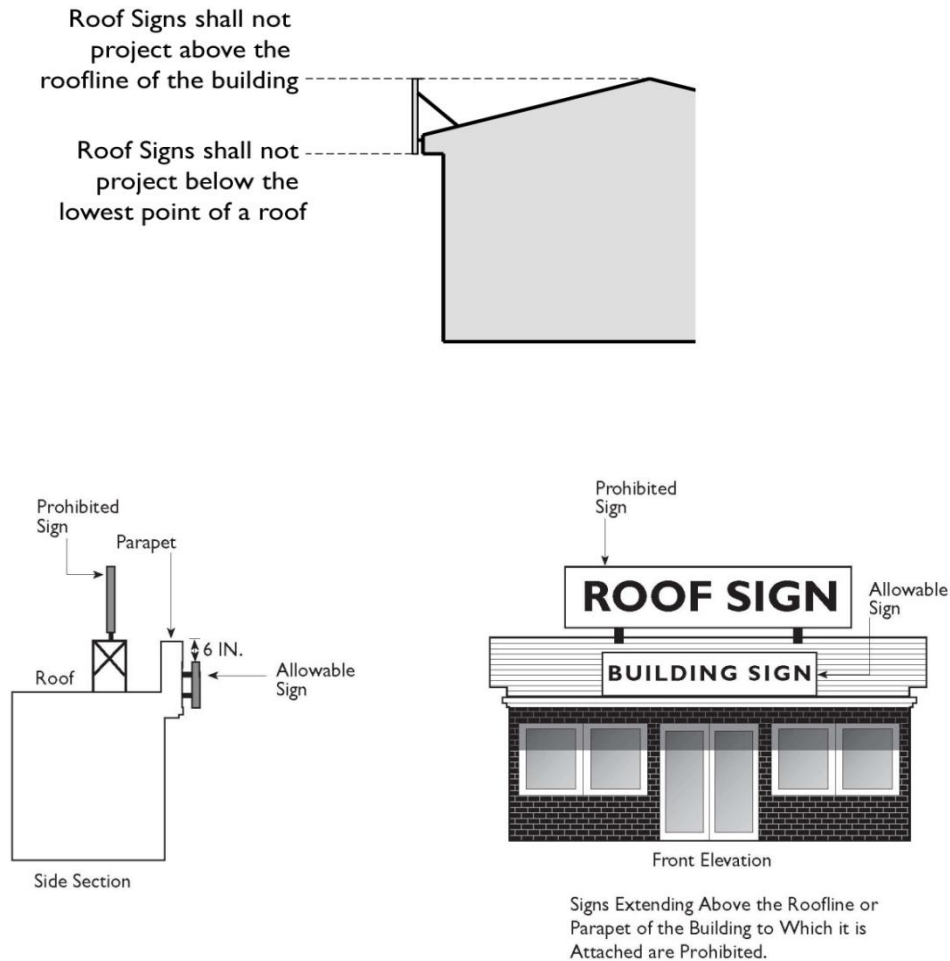
4. **Orientation.** Except for Section 22.84.130 (Freeway-Oriented Business Signs), permitted freestanding and roof sign area shall be used only for signs oriented to be viewed primarily on and/or along the street or highway frontage or combination of street or highway frontages from which said permitted area has been calculated.

5. **Location.** Minimum separation distances between roof or freestanding business signs shall be based on the sign with the largest sign area.

6. **Projection.**

- a. Freestanding signs shall not project more than one-third of their length over the roof of any building or structure.
- b. Roof signs shall not project below the lowest point of a roof and shall not project above the roofline of the building or above the highest point of a parapet wall. For example: Figure 22.84.110-A, below:

Figure 22.84.110-A: Height of Roof Signs



7. Measurement. For the purposes of this Section:

- a. A roof sign shall be measured vertically from the highest point of the roof directly under the sign, exclusive of parapet walls or penthouse structures.
- b. A freestanding sign shall be measured vertically from ground level at the base of the sign.

C. Area and Height. Signs shall comply with Table 22.84.110-A, below, for maximum sign area and maximum height.

Table 22.84.110-A: Maximum Sign Area and Maximum Height				
<i>Zones</i>	<i>Maximum Sign Area for lots with 100 feet or more of frontage</i>	<i>Maximum Sign Area for lots with Less than 100 feet of frontage</i>	<i>Maximum Height for a Roof Sign</i>	<i>Maximum Height for a Freestanding Sign</i>
C-H, C-1, R-R	50 square feet plus 0.25 square foot for every 1 foot of frontage in excess of 100 feet	0.5 square foot for every 1 foot of frontage	15 feet	30 feet

Table 22.84.110-A:Maximum Sign Area and Maximum Height				
<i>Zones</i>	<i>Maximum Sign Area for lots with 100 feet or more of frontage</i>	<i>Maximum Sign Area for lots with Less than 100 feet of frontage</i>	<i>Maximum Height for a Roof Sign</i>	<i>Maximum Height for a Freestanding Sign</i>
C-2, C-3, C-M, C-R, M-1, M-1.5, M-2, M-2.5, M-3,	150 square feet plus 0.75 square foot for every 1 foot of frontage in excess of 100 feet	1.5 square feet for every 1 foot of frontage	No higher than the highest point of the roof as measured from the ground level; maximum 25 feet from the point of the roof directly under the sign	30 feet plus 1 foot for every 10 square feet of sign area permitted in excess of 100 square feet, to a maximum height of 42 feet

D. Location.

1. **Distance from a Lot Line.** Signs shall comply with Table 22.84.110-B, below, for sign location.

Table 22.84.110-B:Distance from a Lot Line		
<i>Zones</i>	<i>Sign Size</i>	<i>Minimum distance between roof or freestanding sign, and a lot line adjoining a street or highway</i>
C-H, C-1, R-R	Up to 50 square feet	25 feet
	Over 50 square feet	25 feet plus 1 foot for every 1 square foot of sign area in excess of 50 square feet
C-2, C-3, C-M, C-R, M-1, M-1.5, M-2, M-2.5, M-3,	Up to 150 square feet	25 feet
	Over 150 square feet	25 feet plus 1 foot for every 3 square feet of sign area in excess of 150 square feet

2. **Distance From Other Signs.** Signs shall comply with Table 22.84.110-C, below for distance from other signs.

Table 22.84.110-C:Distance From Other Signs		
<i>Zones</i>	<i>Sign Size</i>	<i>Minimum distance between another roof or freestanding sign</i>
C-H, C-1, R-R	Up to 25 square feet	100 feet
	Over 25 square feet	100 feet plus 1 foot for every 1 square foot of the largest sign's computed sign area in excess of 25 square feet to a maximum of 200 feet
C-2, C-3, C-M, C-R, M-1, M-1.5, M-2, M-2.5, M-3,	Up to 75 square feet	100 feet
	Over 75 square feet	100 feet plus 1 foot for every 3 square feet of the largest sign's computed sign area in excess of 75 square feet to a maximum of 200 feet

- E. **Rotating or Revolving Freestanding Business Signs.** Rotating or revolving freestanding business signs are permitted in accordance with Table 22.84.110-D, below.

Table 22.84.110-D:Rotating or Revolving Freestanding Signs			
<i>Zones</i>	<i>Maximum number of rotating or revolving freestanding signs</i>	<i>Maximum rotation speed</i>	<i>Maximum Sign Area</i>
C-H, C-1, R-R	1	6 revolutions per minute	50 square feet plus 0.125 square foot for every 1 foot of

Table 22.84.110-D:Rotating or Revolving Freestanding Signs			
<i>Zones</i>	<i>Maximum number of rotating or revolving freestanding signs</i>	<i>Maximum rotation speed</i>	<i>Maximum Sign Area</i>
			frontage in excess of 100 feet
C-2, C-3, C-M, C-R, M-1, M-1.5, M-2, M-2.5, M-3	1	6 revolutions per minute	150 square feet plus 0.375 square foot for every 1 foot of frontage in excess of 100 feet

22.84.120 Roof and Freestanding Business Signs for Lots with Special Circumstances

A. Applicability. Roof and freestanding business signs for lots with special circumstances are permitted in accordance with Section 22.84.110 (Roof and Freestanding Business Signs) and this Section.

B. Signs on Corner Lots.

1. Corner lots may combine the distances of any two intersecting street or highway frontages to be considered as a single frontage for the purpose of erecting and/or maintaining a roof or freestanding business sign adjacent to the corner formed by the intersecting street or highway frontages, provided that:
 - a. The total combined distance of the two street or highway frontages is 100 feet or more;
 - b. Where the location requirements of this Section allow additional freestanding or roof signs on the combined frontage, the sum of the sign areas of all freestanding and roof signs intended to be viewed from each street or highway frontage shall not exceed the maximum permitted sign area established for each such frontage, if considered separately;
 - c. Street or highway frontage shall not be used for any sign area calculation more than once; and
 - d. Such sign or signs comply with all area, height, projection, movement, and location requirements established in Section 22.84.110 (Roof and Freestanding Business Signs).

C. Signs on Combined Frontage.

1. A Discretionary Site Plan Review application shall be required for signs allowed pursuant to this Subsection C.

2. Where there are two contiguous lots, the street or highway frontages of those lots may be combined and considered as a single frontage for the purpose of jointly erecting one roof or freestanding business sign, provided that:
 - a. The lots of land share a common street or highway frontage;
 - b. The combined street or highway frontage is 100 feet or more;
 - c. The sign complies with all area, height, projection, movement and locational requirements established elsewhere in this Chapter; and
 - d. If one such lot is a corner lot, only frontage along the street or highway common to all lots or parcels of land so combined shall be used in these computations and all other frontages shall be considered separately.

D. Signs on Parcels with Less Than 100 Feet of Frontage.

1. A Discretionary Site Plan Review application shall be required for signs allowed pursuant to this Subsection D.
2. One freestanding business sign may be allowed on a lot having less than 100 feet of continuous street or highway frontage, provided that the Director makes the following findings:
 - a. That no roof or freestanding business sign currently exists on the subject property;
 - b. That it is not feasible for the applicant to combine the street or highway frontage of said property with the frontage of one or more contiguous lots in order to comply with the minimum frontage requirement in Section 22.84.110.B.2 (Frontage);
 - c. That surrounding buildings, structures or topographical features would substantially obstruct the visibility of a projecting or wall business sign for a distance of 100 feet on one or both sides of such sign, measured along the centerline of the street or highway upon which such lot fronts;
 - d. That the requested freestanding business sign:
 - i. Is necessary for the effective identification of business located on the lot,
 - ii. Will not obscure or significantly detract from existing legal signs located on the subject and surrounding properties

- iii. Does not constitute a detriment to public health, safety and welfare, and
 - iv. Is in compliance with all other provisions of this Title 22.
3. If the obstruction referred to in Subsection E.1.c, above, is a nonconforming sign, the Director shall require, as a condition of approval, that the proposed sign be removed no later than the date specified by Section 22.132.050.B.2 (Termination by Operation of Law) for removal of the nonconforming sign. Such date for removal shall not be extended except in the instance where the amortization period for said nonconforming sign has been extended by an approved Nonconforming Review. In such instance, the new removal date shall not extend beyond the new amortization period established for said nonconforming sign.
 4. Signs shall comply with Table 22.84.120-A, below, for the maximum sign area.

Table 22.84.120-A:Maximum Sign Area	
<i>Zone</i>	<i>Maximum Sign Area</i>
C-H, C-1, R-R	0.5 square feet of sign area for each one foot of street or highway frontage
C-2, C-3, C-M, C-R, M-1, M-2, M-3 M-1.5 and M-2.5	1.5 square feet of sign area for each one foot of street or highway frontage.

22.84.130 Freeway-Oriented Business Signs

- A. **Applicability.** Freeway-Oriented Business Signs are permitted in accordance with Section 22.84.110 (Roof and Freestanding Business Signs) and this Section.
- B. **Discretionary Site Plan Review.**
 1. **Discretionary Site Plan Review.** A Discretionary Site Plan Review application shall be required to modify the height of a roof or freestanding business sign to a freeway-oriented business signs.
 2. **Findings and Decision.** The Director shall approve an application where the information submitted by the applicant and/or presented at the public hearing substantiates the following finding:
 - a. That the sign would otherwise not be visible at a lesser height for a distance on the freeway for 1,760 feet (one-third mile) preceding the freeway exit that provides access to said premises, or for a line-of-sight distance of 3,520 feet (two-thirds of a mile), whichever is less.

3. **Findings for Modification to Location.** Where a modification is requested per Subsection E.2, below, the Director shall approve an application where the information submitted by the applicant and/or presented at the public hearing substantiates the following findings:

- a. The sign shall be located at least 50 feet from any lot line adjoining a street or highway or 25 feet from a Residential Zone;
- b. That all other freestanding and roof signs are oriented toward the street or highway frontages from which the permitted sign areas are calculated; and
- c. That the sum of the sign areas of such sign and all other freestanding and roof signs shall not exceed the maximum sign area permitted on all street or highway frontages of such lot.

C. Number and Area.

1. **Number.** One sign is permitted per lot.
2. **Area.** The sum of the sign areas of such sign and all other freestanding and roof business signs shall not exceed the maximum sign area permitted in Section 22.84.110 (Roof and Freestanding Business Signs).

- D. **Height.** The sign shall conform to the maximum height of a freestanding or roof business sign as specified in Section 22.84.120 (Roof and Freestanding Business Signs for Lots with Special Circumstances). The Director may approve a higher sign height up to a maximum of 60 feet if the Director determines that the sign is not adequately visible from a lesser height in accordance with Subsection B.2.a, below.

E. Location. Notwithstanding Section 22.84.100.E (Location):

1. **Freeway.** The sign shall be located:
 - a. Within 660 feet of the edge of the right-of-way of a freeway. This distance shall be measured horizontally along a line normal or perpendicular to the center of such freeway; and
 - b. Within a radius of 1,500 feet of a freeway exit providing access to the premises on which the sign is to be maintained.
2. **Lot Line, Signs and Other Properties.** The sign shall be located:
 - a. At least five feet from an interior lot line; and

- b. At least 25 feet from a roof sign or another freestanding business sign on the same or adjoining properties.

F. **Content.** Sign content is restricted to businesses that provide food, lodging, or motor vehicle fuel and which are primarily dependent on the freeway.

22.84.140 Outdoor Advertising Signs

A. **Applicability.** Outdoor advertising signs are permitted in Zones M-1, M-1.5, M-2 and M-3 with a Conditional Use Permit application.

B. **Definitions.** Specific term(s) used in this Chapter are defined in Division 2 (Definitions), under "Outdoor Advertising Signs".

C. **Conditional Use Permit.** A Conditional Use Permit application shall be required for any signs allowed pursuant to this Section.

D. General Requirements.

- Signs may be single or double-faced, provided that the distance between the sign faces is 48 inches or less; and
- Sign faces shall be calculated separately.

E. **Area.** The total sign face of such signs shall not exceed 800 square feet.

F. **Height.** Signs shall not exceed 42 feet.

G. **Location.** Sign location shall comply with Table 22.84.140-A, below.

TABLE 22.84.140-A: Location			
<i>Total Sign Face</i>	<i>Minimum required distance from an outdoor advertising sign of more than 150 square feet in sign face</i>	<i>Minimum required distance from an outdoor advertising sign of between 81 square feet and 150 square feet in sign face</i>	<i>Minimum required distance from an outdoor advertising sign of 80 square feet or less in sign face on same side of street or highway</i>
More than 150 square feet	500 feet	200 feet	100 feet
Between 80 and 150 square feet	200 feet	200 feet	100 feet
Less than 80 square feet and located on the same side of the street or highway	100 feet	100 feet	100 feet

H. **Prohibited.** Signs shall comply with the following:

- Signs shall not have a message face visible from and within a distance of 660 feet of the edge of right-of-way of a freeway or scenic highway,

measured horizontally along a line normal or perpendicular to the centerline of such freeway or scenic highway, if designed to be viewed primarily by persons traveling thereon;

2. Signs shall not be permitted on a roof;
3. Not more than 15 percent of the length of a freestanding sign may extend over a roof of any building or structure;
4. Signs shall not be permitted to encroach over public rights-of-way; and
5. Signs shall not be permitted within 200 feet of a Residential Zone located on the same side of the street or highway.

I. Advertising for Tobacco Products, Alcoholic Beverages and Adult Telephone Messages Prohibited in Certain Areas of the County. As of January 10, 1999, the following regulations apply:

1. No person shall place or cause to be placed any advertisement for cigarettes or other tobacco products, alcoholic beverages, or live or recorded telephone messages containing any harmful matter, as defined in Section 313 of the California Penal Code, on any outdoor advertising sign within a Residential or Agricultural Zone, or within 1,000 feet of the premises of any school, park, playground, recreational facility, youth center, child care center, entertainment park or church.
2. This Subsection I shall not apply to outdoor advertising signs located on property adjacent to, and designed to be viewed primarily by, persons traveling on a freeway.
3. The distances specified in this Subsection I shall be measured in a straight line, without regard to intervening structures, from the nearest point of the outdoor advertising sign to the nearest property line of a use or a zone listed in Subsection I.1, above.
4. This Subsection I shall be administered and enforced by the Department. The Department shall create and update a detailed map of the County, showing the location and boundaries of all schools, parks, playgrounds, recreational centers and facilities, youth centers, child care centers, entertainment parks and churches, and the corresponding 1,000-foot radii within which advertising for cigarettes or other tobacco products, alcoholic beverages, or live or recorded messages containing any harmful matter is prohibited. The Department shall also develop guidelines, as appropriate, to ensure proper implementation and enforcement of this Subsection. Nothing contained in this Subsection shall be interpreted or enforced in such a manner as to constitute a compensable limitation on the use of any

advertising display pursuant to Section 5412 of the California Business and Professions Code. The Department may enter into agreements with appropriate departments to enforce this Subsection I.

- J. **Conditions of Approval.** A weather-resistant metal placard or tag shall be affixed to the sign or the pole to which the sign is attached that identifies the sign owner, contact information, and applicable permit number that is visible and legible to a person of average height, prior to the placement of a message on the sign.

22.84.150 Portable Outdoor Advertising Signs

- A. **Applicability.** Portable outdoor advertising signs are permitted in accordance with Section 22.84.140 (Outdoor Advertising Signs) and this Section.

- B. **Findings and Decision.** Findings and decision shall be in compliance with:

1. The findings for a Conditional Use Permit application per Section 22.120.050 (Findings and Decision); and
2. That the portable outdoor advertising sign:
 - a. Does not constitute a potential hazard to pedestrian or vehicular traffic,
 - b. Is not in any area where the erection of buildings or structures is prohibited, and
 - c. Is not within a public right-of-way.

- C. **Additional Standards.**

1. No person may place or grant permission to place a portable outdoor advertising sign unless a Conditional Use Permit approval and approved Exhibit "A" approval has been obtained. Placement of a portable outdoor advertising sign in violation of this provision may cause such sign to be deemed a public nuisance.
2. Portable outdoor advertising signs may only be displayed in approved locations.
3. An official site-approval card shall be visibly attached to the sign when displayed.

22.84.160 Incidental Business Signs

- A. **Applicability.** Incidental business signs are permitted at each business establishment.

B. Development Standards.

1. Signs are limited to non-commercial messages, such as credit cards accepted, public phones available, restroom locations and trade affiliations.
2. Signs are wall signs or are attached to an existing freestanding business sign structure.
3. Signs shall have a maximum three feet in sign area or six square feet in total sign area.
4. The sum of the sign areas of all such signs does not exceed 10 square feet.

C. Relation to Other Signs. This provision shall not be interpreted to prohibit the use of similar signs of a larger size or in greater numbers where otherwise permitted by this Title 22, and computed as part of the sign area permitted for business signs as provided in Section 22.84.090 (Wall Business Signs), Section 22.84.100 (Projecting Business Signs), Section 22.84.110 (Roof and Freestanding Business Signs), Section 22.84.120 (Roof and Freestanding Business Signs for Lots with Special Circumstances) and Section 22.84.190 (Temporary Signs).

22.84.170 Special-Purpose Signs

A. Building Identification Signs.

1. **Applicability.** Signs are permitted in all zones, except Zones B-1 and B-2.
2. **Number and Area.**
 - a. Sign number and area shall comply with Table 22.84.170-A, below, for the maximum number of signs permitted and maximum sign area.
 - b. This Subsection A shall not be interpreted to prohibit the use of similar signs of a larger size or in greater number where otherwise permitted by this Chapter and computed as part of the sign area permitted for signs as provided in the following Sections:
 - i. Section 22.84.090 (Wall Business Signs);
 - ii. Section 22.84.100 (Projecting Business Signs);
 - iii. Section 22.84.110 (Roof and Freestanding Business Signs);
 - iv. Section 22.84.120 (Roof and Freestanding Business Signs for Lots With Special Circumstances);
 - v. Section 22.84.130 (Freeway-Oriented Business Signs);

vi. Section 22.84.160 (Incidental Business Signs); and

vii. Section 22.84.190.B (Temporary Window Signs).

viii.

Table 22.84.170-A: Maximum Number of Signs and Maximum Sign Area		
<i>Zones</i>	<i>Maximum number of signs per principal use</i>	<i>Maximum sign area per principal use</i>
R-1, R-2, R-A, A-1, A-2, O-S, R-R, W	1 wall-mounted sign	1 square foot
R-3, R-4	1 wall-mounted sign	6 square feet
C-H, C-1, C-2, C-3, C-M, C-R, M-1, M-1.5, M-2, M-2.5, M-3, M-4, SR-D, P-R and W	1 wall-mounted sign	Six square feet when located less than 30 feet above ground level, measured at the base of the building below said sign; or Two percent of the exterior wall area of the building wall on which it is mounted, excluding penthouse walls, where located more than 30 feet above ground level measured at the base of the building below said sign

3. **Height.** Signs shall not extend below the lowest point of a sloping roof or above the highest point of a parapet wall.

4. **Lighting.**

- a. In addition to Section 22.84.060.D, sign lighting using exposed incandescent lamps that exceed a rated wattage of 25 watts are prohibited in Zones R-1, R-2, R-3, R-4, R-A, A-1, A-2, O-S, R-R and W.
- b. Continuous or sequential flashing operation is prohibited.

B. Directional and Informational Signs.

1. **Applicability.** Signs are permitted in Zones A-1, A-2, O-S, R-R, W, C-1, C-2, C-3, C-M, C-R, M-1, M-1.5, M-2, M-2.5, M-3, B-1, P-R and SR-D.
2. **Application and Review Procedures.** A Ministerial or Discretionary Site Plan Review application is required for the approval of wall-mounted or freestanding signs, as described below:
 - a. *Discretionary Site Plan Review.*

- i. In Zones A-1, A-2, O-S, R-R and W, a Discretionary Site Plan Review application is required for wall-mounted or freestanding signs; and
 - ii. A Discretionary Site Plan Review application may be approved if the Director finds that, in addition to Section 22.168.040 (Findings and Decision), the geographic location of, or access route to the use identified creates a need for such sign not satisfied by other types of signs permitted in this Chapter;
 - b. *Ministerial Site Plan Review.* In Zones C-1, C-2, C-3, C-M, C-R, M-1, M-1.5, M-2, M-2.5, M-3, B-1, P-R and SR-D, a Ministerial Site Plan Review application is required for wall-mounted or freestanding signs.
3. **Area and Height.** Signs shall comply with Table 22.84.170-B or with Table 22.84.170-C, below, for the maximum number of signs permitted and maximum sign area.
- a. *Wall Signs.*

Table 22.84.170-B:Wall Signs		
<i>Zones</i>	<i>Maximum Sign Area</i>	<i>Maximum Height</i>
A-1, A-2, O-S, R-R, W, C-1, C-2, C-3, C-M, C-R, M-1, M-1.5, M-2, M-2.5, M-3, B-1, P-R, SR-D	12 square feet per sign area or 24 square feet total sign area	Shall not extend above the highest point of a parapet wall or the lowest point of a sloping roof.

- - b. *Freestanding Directional and/or Informational Signs.*

Table 22.84.170-C:Freestanding Signs		
<i>Zones</i>	<i>Maximum Sign Area</i>	<i>Maximum Height</i>
A-1, A-2, O-S, R-R, W	12 square feet per sign area or 24 square feet total sign area	6 feet measured vertically from the base of the sign
C-1, C-2, C-3, C-M, C-R, M-1, M-1.5, M-2, M-2.5, M-3, B-1, P-R, SR-D	12 square feet per sign area or 24 square feet total sign area	12 feet measured vertically from the base of the sign

4. **Location and Lighting.** Sign location and sign lighting shall comply with Table 22.84.180-D, below.

Table 22.84.170-D:Sign Location and Sign Lighting			
<i>Sign Type</i>	<i>Zones</i>	<i>Location</i>	<i>Lighting</i>
Wall-mounted and/or Freestanding	A-1, A-2, O-S, R-R and W	Either on-site and off-site, provided that where located within a front or corner side yard, such sign shall not be nearer than 10 feet to any street or highway upon which the property fronts	Permitted Incandescent lamps shall not exceed a rated wattage of 25 watts. Continuous or sequential flashing operation is prohibited.
Wall-mounted and/or Freestanding	C-1, C-2, C-3, C-M, C-M, C-R, M-	On-site only	Permitted

Table 22.84.170-D: Sign Location and Sign Lighting			
Sign Type	Zones	Location	Lighting
	1, M-1.5, M-2, M-2.5, M-3, B-1, P-R, SR-D		

C. Community Identification Signs.

1. **Applicability.** Freestanding signs for community identification are permitted in all zones.
2. **Area and Height.** Signs shall comply with Table 22.84.170-E, below, for the maximum sign area and maximum height.

Table 22.84.170-E: Maximum Sign Area and Maximum Height	
Maximum Sign Area	Maximum Height
96 square feet per sign area or 192 square feet total sign area	16 feet

3. **Location.** Signs shall be located at or near the entrance to an unincorporated community or city of the County.
4. **Lighting.** Continuous or sequential flashing operation is prohibited.
5. **Design.** Signs shall be architecturally related to the area in which they are located.

D. Civic Organization Signs.

1. **Applicability.** Freestanding civic organization signs are permitted in all zones.
2. **Area and Height.** Signs shall comply with Table 22.84.170-F, below, for maximum sign area and maximum sign height.

Table 22.84.170-F: Maximum Sign Area and Maximum Height	
Maximum Sign Area	Maximum Height
50 square feet per sign area or 100 square feet total sign area	15 feet

3. **Location.** Signs shall be located at or near the entrance to an unincorporated community or city of the County.
4. **Lighting.** Sign lighting is prohibited.
5. **Design.** Signs shall be architecturally related to the area in which they are located.

E. Bulletin or Special Event Signs.

1. **Applicability.** One freestanding or wall-mounted bulletin or special event sign is permitted on any lot developed for a publicly owned, charitable, religious or educational institution in all zones.
2. **Number and Area.** Signs shall comply with Table 22.84.170-G, below, for the maximum number of signs permitted and maximum sign area.

Table 22.84.170-G:Maximum Sign Area and Maximum Height	
Zones	Maximum Sign Area
All Zones	50 square feet per sign area or 100 square feet total sign area

3. **Height.**
 - a. A wall-mounted sign shall not extend below the lowest point of a sloping roof or above the highest point of a parapet wall.
 - b. A freestanding sign shall have a maximum height of 15 feet.
4. **Location.** A freestanding sign shall be located a minimum of 25 feet from a lot line that does not adjoin a street or highway.
5. **Lighting.** In addition to Section 22.84.060.E, sign lighting using exposed incandescent lamps that exceed a rated wattage of 25 watts are prohibited in all Residential and Agricultural Zones.
6. **Design.** Signs shall be architecturally related to the structure on which they are located.

F. Fuel Pricing Signs.

1. **Applicability.** Fuel pricing signs are permitted for each business offering gasoline or other motor vehicle fuel for sale.
2. **Types of Signs Permitted.** Signs shall be separate freestanding business signs, panels mounted to freestanding business sign structures, or combined freestanding business and fuel pricing signs.
3. **Number and Area.**
 - a. One sign, not to exceed 30 square feet in sign area or 60 square feet in total sign area, shall be permitted for each street or highway frontage.
 - b. If said business is located on a corner, one sign, not to exceed 30 square feet in sign area or 120 square feet in total sign area, shall be permitted at the corner in lieu of separate signs on each of the intersecting frontages.

- c. The area per sign face of a combined freestanding business and fuel pricing sign shall not exceed the sum of the permitted areas per sign face of the two merging signs. Nor shall the business portion of said sign exceed the area per sign face that would be permitted a business sign were it erected separately.

4. Height Permitted.

- a. No separate freestanding sign shall exceed 15 feet in height at a corner of 5 feet in height elsewhere. Such height shall be measured vertically from the base of the sign.
- b. No combined business and fuel pricing sign, or no business sign to which fuel pricing panels are mounted, shall exceed the maximum permitted height of a freestanding business sign as established in Sections 22.84.110 (Roof and Freestanding Business Signs) and 22.84.120 (Roof and Freestanding Business Signs for Lots with Special Circumstances).

5. **Location of Sign.** No separate freestanding sign shall be located nearer to an existing freestanding sign or to a lot line, other than one adjoining a street or highway, than 25 feet.

G. Public Transportation Signs.

1. **Applicability.** If a permit is approved by the Department of Public Works in accordance with Title 16 (Highways) of this County Code, public transportation signs are permitted in all zones.
2. **Area.** Signs shall comply with Table 22.84.170-I, below, for maximum sign area. Such signs shall not exceed 24 square feet in sign area or 48 square feet in total sign area.

Table 22.84.170-I: Maximum Sign Area and Maximum Height		
<i>Zones</i>	<i>Maximum Sign Area Single Sided Sign</i>	<i>Maximum Height</i>
All Zones	24 square feet per sign area or 48 square feet total sign area	7 feet measured vertically from the ground directly below the sign

3. **Location.** No more than two such signs shall be placed at one location and shall not be allowed within 100 feet of any other such sign or signs located on the same side of the street or highway. The location of all such signs shall be approved by the Department of Public Works, who shall ensure that their placement will not impair the safety or visibility of motorists, bicyclists, pedestrians and others using public streets and highways.

4. **Lighting.** In addition to Section 22.84.060.E, sign lighting using exposed incandescent lamps that exceed a rated wattage of 25 watts are prohibited in all Residential Zones.

5. **Design.** Such signs shall be approved by the Department of Public Works.

22.84.180 Temporary Subdivision and Real Estate Signs

A. **Applicability.** Temporary subdivision sales, real estate signs and related entry and special-feature signs are permitted in all zones.

B. Temporary Subdivision Sales Signs.

1. **Number and Area.** Signs shall comply with Table 22.84.180-A, below, for the maximum number of signs and maximum sign area

Table 22.84.180-A: Maximum Number of Signs, Maximum Sign Area and Maximum Height		
Number of Lots in the Subdivision Tract	Maximum Number of Signs	Maximum Sign Area
10 lots or less	1 for each street or highway bordering the tract	32 square feet per sign area or 64 square feet total sign area
11 to 19 lots	1 for each street or highway bordering the tract	64 square feet per sign area or 128 square feet total sign area
20 lots or more	1 for each street or highway bordering the tract	96 square feet plus an additional one-half square foot in sign area for each one foot of street or highway frontage in excess of 500 feet. Sign shall not exceed 180 square feet, or an amount equal to twice the permitted sign area in total sign area, where such tract contains more than 20 lots.

2. Height.

a. Subdivision sales signs shall not exceed the following maximum heights:

- i. 8 feet where such sign has a sign area of 64 square feet or less; and
- ii. 16 feet where such sign is 65 square feet or greater in sign area.

b. Signs shall be measured from ground level at the base of the sign.

c. Where a wall is required as a condition of approval along the street or highway frontage for which such sign is permitted, the Director may modify sign height requirements in accordance with a Discretionary Site Plan Review application.

3. **Location.** Signs shall be located on the subdivision.

4. **Lighting.** Continuous or sequential flashing operation is prohibited.
5. **Content.** Sign content is restricted to the subdivision being offered for sale or lease.
6. **Time Limit.** Signs shall be maintained until all the property is sold or leased, or for a period of three years from the date of issuance of the first building permit for the subdivision, whichever should occur first. Any structure used for such purpose shall, at the end of such three-year period, be either removed or restored for a use permitted in the zone where located, except that the Director may, upon showing of need by the owner of the property, extend the permitted time beyond three years.

C. **Temporary Subdivision Entry and Special-Feature Signs.** Subdivision entry and special-feature signs may be permitted in any subdivision qualifying for subdivision sales signs under Subsection B, above, in accordance with this Subsection C.

1. **Discretionary Site Plan Review.** A Discretionary Site Plan Review application is required for the approval of subdivision entry and special-feature signs. In order to approve such application, the Director shall make the following findings:
 - a. Subdivision entry signs are necessary to facilitate entry into and movement within the subdivision; or
 - b. Subdivision special-feature signs are located in the immediate vicinity of an approved model home and temporary real estate tract office.
2. **Number, Area and Height.** Subdivision entry and special-feature signs shall comply with Table 22.84.180-B and Table 22.84.180-C, below, for the maximum number of signs permitted and maximum sign area.

a. *Temporary Subdivision Entry Signs.*

Table 22.84.180-B: Temporary Subdivision Entry Signs		
<i>Location Where Sign Is Permitted</i>	<i>Maximum Sign Area</i>	<i>Maximum Height</i>
In any subdivision where the sign is necessary to facilitate entry into and movement within the subdivision	12 square feet per sign area or 24 square feet total sign area	8 feet measured from the base of the sign

b. *Temporary Special-Feature Signs.*

Table 22.84.180-C: Temporary Special-Feature Signs		
<i>Location Where Sign Is Permitted</i>	<i>Maximum Sign Area</i>	<i>Maximum</i>
In any subdivision where	6 square feet per sign area or 12	8 feet measured from the base

Table 22.84.180-C: Temporary Special-Feature Signs		
<i>Location Where Sign Is Permitted</i>	<i>Maximum Sign Area</i>	<i>Maximum</i>
the sign is located in the immediate vicinity of an approved model home and temporary real estate tract office	square feet total sign area	of the sign

3. **Location.** Signs shall be located within the subdivision.

4. **Lighting.** Sign lighting is prohibited.

5. **Time Limit.** Signs shall have the same time limit as subdivision sales signs approved for the same tract and shall be removed at the end of such period.

D. **Temporary Real Estate Signs.** Temporary real estate signs are permitted in accordance with this Subsection D.

1. **Number and Area.** Signs shall comply with Table 22.84.180-D, below, for the maximum number of signs permitted and maximum sign area.

Table 22.84.180-D: Maximum Sign Area and Maximum Height			
<i>Zones</i>	<i>Maximum Number of Signs</i>	<i>Maximum Area Frontage of 100 feet or less</i>	<i>Maximum Area Frontage over 100 feet</i>
R-1, R-2, R-A, A-1, A-2, O-S, R-R, W	1 wall-mounted or freestanding sign	6 square feet per sign area or 12 square feet total sign area	32 square feet per sign area or 64 square feet total sign area
R-3, R-4, SR-D, P-R	1 wall-mounted or freestanding sign	12 square feet per sign area or 24 square feet total sign area	48 square feet per sign area or 96 square feet total sign area
C-H, C-1, C-2, C-3, C-M, C-R, M-1, M-1.5, M-3, B-1	1 wall-mounted or freestanding sign	48 square feet per sign area or 96 square feet total sign area	48 square feet plus 0.5 square feet of sign area for every 1 foot of frontage, up to a maximum of 100 square feet of sign area; or twice the permitted area in total sign area

2. **Height.**

- a. Wall-mounted real estate signs shall not extend above the highest point of a parapet wall or the lowest point of a sloping roof.
- b. Freestanding real estate signs shall not exceed the following maximum heights:
 - i. In Zones R-1, R-2, R-3, R-4, R-A, A-1, A-2, O-S, R-R and W, eight feet measured vertically from ground level at the base of the sign; and

- ii. In Zones C-H, C-R, C-1, C-2, C-3, C-M, M-1, M-1.5, M-2, M-2.5, M-3 and B-1, 16 feet measured vertically from ground level at the base of the sign.

3. Location.

- a. Freestanding signs may be placed in required front yard setbacks, provided such signs are located a minimum of 10 feet from the lot line adjoining a street or highway.
- b. Freestanding signs shall be placed a minimum of 10 feet from any lot line, excluding the lot line adjoining a street or highway.

4. Lighting. Sign lighting shall comply with Table 22.84.180-E, below.

Table 22.84.180-E: Sign Lighting		
<i>Sign Type</i>	<i>Zone</i>	<i>Lighting</i>
Wall-mounted and Freestanding	R-1, R-2, R-A, A-1, A-2, O-S, R-R, W, R-3, R-4, SR-D, P-R	Prohibited
Wall-mounted and Freestanding	C-1, C-2, C-3, C-H, C-M, C-R, M-1, M-1.5, M-2, M-2.5, M-3, B-1	Permitted Continuous or sequential flashing operation is prohibited.

- 5. **Time Limit.** Signs shall be removed from the premises within 30 days after the property has been rented, leased, or sold.

E. Off-Site Subdivision Directional Signs. Off-site subdivision directional signs are permitted in accordance with this Subsection E.

1. Conditional Use Permit.

- a. A Conditional Use Permit application may be filed for an off-site subdivision directional sign.
- b. A maximum of one subdivision directional sign may be requested under each application.

2. Application Checklist. In addition to any other information required by this Title 22 to be included in a Conditional Use Permit application, the applicant shall provide the following information:

- a. An exact quotation of the message to be placed upon the sign;
- b. A list of all previously approved subdivision directional signs for the same subdivision development, whether existing or not;
- c. The name and contact information of the owner of the sign and the owner of the property on which the sign is to be placed; and

- d. The signatures of both the owner of the sign and the applicant, or their designated representative. Such designated representative shall be appointed only as a result of a letter of authorization and a copy of such letter shall be attached to the application.
3. ***Development Standards.*** All subdivision directional signs shall comply with the following regulations:
- a. The written and illustrative messages shall be the same as quoted in the application and as shown on the site plan except as otherwise permitted by Commission or Hearing Officer, and shall be limited to necessary travel directions, the name of the land development project to which it pertains, a characteristic trademark or insignia, and other such information describing the character of the development as may be specifically approved by the Commission or Hearing Officer; provided, that such information shall be subordinate to the sign's primary purpose of providing travel directions. The sign shall not contain any other advertising.
 - b. Such signs shall not exceed a height or width in excess of 20 feet and shall not have an area in excess of 180 square feet per face.
 - c. An unobstructed open space shall be maintained to a height of eight feet below the sign except for structural supports. Where topographic features create an unnecessary hardship or unreasonable regulation or make it obviously impractical to require compliance with the provisions of this Subsection D, the Commission or Hearing Officer may, without notice or public hearing, modify this requirement.
 - d. The sign shall be located not less than 500 feet from any other subdivision directional sign.
 - e. No additions, tags, streamers or appurtenances may be added to an approved sign.
 - f. Not more than four single- or double-faced signs pertaining to the same subdivision development may be used at the same time.
 - g. Such signs shall be used and located within four miles from the exterior boundary of the subdivision development to which they relate.
 - h. Such signs shall not be located within the right-of-way of any highway, parkway, street or alley or along established and existing freeways which have been designated as freeway routes by the California Department of Transportation or along scenic highways.

- i. Identification shall be placed on such sign indicating the permit number, sign, owner and expiration date.
- j. Where the distance between the faces of a double-faced sign is more than 24 inches, such faces shall be considered two separate signs.
- k. All exposed backs of such signs visible to the public shall be suitably covered in order to conceal the structure and be properly maintained.

4. Conditions.

- a. Approval of such off-site subdivision directional sign may be for a period of not to exceed one year; provided, that the Commission or Hearing Officer, where evidence is submitted to its satisfaction that a continuing need for travel directions to the subdivision development for which such sign was approved exists, may extend such permit for not more than one year if the applicant files a request for such extension prior to the expiration of his original permit. Only one extension may be granted.
- b. The Commission or Hearing Officer shall require as a condition of approval with each application the deposit of the sum of \$175.00 or savings and loan certificates in the same amount as provided in Chapter 4.36 of Title 4 (Revenue and Finance) of the County Code, and an agreement signed by the applicant, the owner of the sign and the owner of the property on which the sign is to be placed, by which such persons agree that the County may enter upon the land upon which the sign is located and remove it if such sign is not removed and the site thereof restored to a neat and orderly condition within five days after the termination of the permit. The said applicant and owners also shall agree that if such sign is not so removed by them within said five days and the site restored, the County may retain the deposit or savings and loan certificates as liquidated damages.
- c. Any applicant may, in lieu of filing a separate deposit with each application, file a single cash deposit or savings and loan certificates in the amount of \$3,000.00 to cover all of his applications for subdivision directional signs. A rider showing the administrative file number (permit number) and such other information as may be necessary to readily identify each application covered by such deposit shall be filed.

- 5. Conditions for Combining Signs for Separate Developments.** The Commission or Hearing Officer may, where an applicant concurrently files applications for subdivision directional signs pertaining to more than one

subdivision development, modify the standards contained in Subsection E.3.d and E.3.e, above, to permit the grouping or combining of two or more signs providing travel directions to different developments. Such two or more separate signs may be grouped together in one structure or may be consolidated into one sign where, in the Commission or Hearing Officer's opinion, such grouping or combining helps to reduce visual clutter and distraction.

6. **Removal or Relocation of Signs Required.** If a highway, parkway, street or alley is widened so that the location of the sign is included in the right-of-way, the owner, at no expense to the County shall either remove such sign or relocate it outside of the new right-of-way.

22.84.190 Temporary Signs

A. Temporary Construction Signs.

1. **Applicability.** Temporary construction signs are permitted in all zones.
2. **Number and Area.** Signs shall comply with Table 22.84.190-A, below, for the maximum number of signs permitted and maximum sign area.

Table 22.84.190-A: Maximum Number of Signs and Maximum Sign Area			
<i>Zones</i>	<i>Maximum Number of Signs</i>	<i>Maximum Area Frontage of 100 feet or less</i>	<i>Maximum Area Frontage over 100 feet</i>
R-1, R-2, R-3, R-4, R-A, A-1, A-2, O-S, W	1 wall-mounted or freestanding sign	6 square feet per sign area or 12 square feet total sign area	32 square feet per sign area or 64 square feet total sign area
C-H, C-1, C-2, C-3, C-M, C-R, M-1, M-1.5, M-2, M-2.5, M-3, B-1, R-R, P-R, SR-D	1 wall-mounted or freestanding sign	48 square feet per sign area or 96 square feet total sign area	48 square feet plus 0.5 square feet of sign area for every 1 foot of frontage, up to a maximum of 100 square feet of sign area; or twice the permitted area in total sign area

3. Height.

- a. Wall-mounted construction signs shall not extend above the highest point of a parapet wall or the lowest point of a sloping roof.
- b. Freestanding construction signs shall not exceed the following maximum heights:
 - i. In Zones R-1, R-2, R-3, R-4, R-A, A-1, A-2, O-S and W, eight feet measured vertically from the base of the sign; and

- ii. In Zones C-H, C-1, C-2, C-3, C-R, C-M, M-1, M-1.5, M-2, M-3, M-2.5, B-1, R-R, P-R and SR-D, 16 feet measured vertically from the base of the sign.
4. **Location.** Construction signs shall be maintained only upon the site of the building or structure under construction, alteration or in process of removal.
5. **Lighting.** Sign lighting shall comply with Table 22.84.190-B, below.

Table 22.84.190-B: Sign Lighting		
Sign Type	Zone	Lighting
Wall-mounted and Freestanding	R-1, R-2, R-3, R-4, R-A, A-1, A-2 and O-S	Prohibited
Wall-mounted and Freestanding	C-1, C-2, C-3, C-H, C-M, C-R, M-1, M-1.5, M-2, M-2.5, M-3, B-1, R-R, P-R, SR-D	Permitted Continuous or sequential flashing operation is prohibited.

6. **Time Limit.** Signs shall be removed from the premises within 30 days after the completion of construction, alteration, or removal of the structure.

B. Window Signs.

1. **Applicability.** Window signs are permitted in all zones.
2. **Standards.** Each business establishment shall be permitted window signs, provided that such signs do not exceed 25 percent of the area of any single window or of adjoining windows on the same frontage. This provision is not intended to restrict window displays when such signs or merchandise are incorporated within such display and are located at least one foot from such windows.

22.84.200 Nonconforming and Illegal Signs

Any sign which does not conform to the provision of this Chapter shall be made to conform or shall be removed as provided in Section 22.132.050.B.2 (Termination by Operation of Law).

Chapter 22.86 Highway Lines, Road Dedication and Access

Sections:

- 22.86.010 Purpose
- 22.86.020 Applicability
- 22.86.030 Road Dedication and Improvements
- 22.86.040 Intersections and Corner Cut-off Requirements
- 22.86.050 Major Bridge and Thoroughfare Fees
- 22.86.060 Modifications
- 22.86.070 Highway Lines

22.86.010 Purpose

The purpose of this Chapter is to establish the centerlines, dedication, improvement and access requirements that the County may impose on new development.

22.86.020 Applicability

This Chapter applies to all new uses and development, structural alterations, and additions, except that the following shall be exempt, provided that they comply with all other provisions of this Title 22:

- A. The use, alteration or enlargement of an existing building or structure or the erection of one or more accessory buildings or structures, or both, on the same lot, if the total value of such alteration, enlargement, or construction does not exceed one-half of the current market value of all existing buildings or structures on such lot;
- B. Buildings, structures, or uses permitted in Zone R-2;
- C. Outdoor advertising signs;
- D. Accessory agricultural buildings where used primarily for agricultural purposes;
- E. Oil wells;
- F. Electrical distribution and transmission substations;
- G. Water storage tanks, reservoirs and water pumping plants, but excluding offices or maintenance yard facilities;
- H. Gas measurement, distribution, and meter and control stations;
- I. Telephone repeater stations;
- J. Temporary carnivals and revival meetings; and
- K. Other similar uses that, in the opinion of the Commission or Hearing Officer, will not generate a greater volume of traffic than the uses listed in this Section.

22.86.030 Road Dedication and Improvements

A building or structure shall not be used on any lot, or any portion of such lot, that abuts upon an alley, street or highway unless the one-half of the alley, street or highway that is located on the same side of the centerline as such lot has been dedicated and improved as follows:

A. Dedication.

1. **Dedication Standards.** Alleys, streets and highways, shall be dedicated to the width from the centerline specified in Section 22.86.070 (Highway Lines), and including corner cutoffs specified in Section 21.24.110 in Title 21 (Subdivisions) of the County Code, except that dedication in any case shall not be required to such an extent as to reduce the area or width of any lot to less than that specified in Sections 22.80.140.C (Required Area—Reduced for Highways—Conditions) and 22.80.140.E (Conveyance or Division of Land—Lot Area and Width Restrictions).
2. **Agreement to Dedicate.** In lieu of dedication, the Director of Public Works may accept a dedication agreement signed by all persons having any right, title, interest or lien in the property, or any portion thereof, to be dedicated. The signatures on such agreement shall be verified, and the Director of Public Works shall record such agreement with the Registrar-Recorder/County Clerk.

B. Improvements.

1. Curbs, gutters, sidewalks, base, pavement, street lights, street trees and drainage structures, where required, shall be constructed at the grade and at the location specified by the Director of Public Works unless there already exists within the present right-of-way, or on property the owner has agreed to dedicate, curbs, gutters, sidewalks, base, pavement, street lights, street trees, or drainage structures that the Director of Public Works finds are adequate.
2. Sidewalks shall be not less than five feet in width unless the available portion of the highway or street is less, in which case they shall be the width specified by the Director of Public Works.
3. Curbs, gutters, drainage structures, base, pavement street lights, street trees, and sidewalks shall comply with the standards in Title 21 (Subdivisions) of the County Code, except as otherwise authorized by the Director of Public Works for public health, safety or welfare reasons.
4. All construction within the existing or proposed road rights-of-way shall be done under provisions of Division 1 of Title 16 (Highway Code) of the County Code for Highway Permits.
5. In lieu of the required improvements, the Director of Public Works may accept from any responsible person a contract to make such improvements in accordance with the following:

- a. Such contract shall specify a time in which the improvements shall be completed. Said improvements shall be completed within the time specified in the agreement to improve, except that the Director of Public Works may grant such additional time as he deems necessary if, in his opinion, a good and sufficient reason exists for the delay.
- b. Such contract shall be accompanied by a deposit with the Board of a sum of money or negotiable bonds or savings and loan certificates or shares in an amount which, in the opinion of the Director of Public Works, equals the cost of providing the improvements. If savings and loan certificates or shares are deposited, such certificates or shares shall be assigned to the County, and such deposit and assignment shall be subject to all the provisions and conditions of Chapter 4.36 of Title 4 (Revenue and Finance Code) of the County Code.
- c. If the estimated cost of the improvements equals or exceeds \$1,000.00, in lieu of such deposit the applicant may file with the Board a corporate surety bond guaranteeing the adequate completion of all of the improvements, in an amount equal to such estimated cost.
- d. If the improvement is not completed within the time specified in an agreement, the Board may, after 10 days, serve a written notice to the person, firm or corporation that signed the contract, or after 20 days, send a written notice by registered mail and addressed to the last known address of the person, firm or corporation that signed the contract. The notice shall state that the Board has determined that the improvement work or any part of the work is incomplete, and any portion of deposits or bonds given for the faithful performance of the work may be forfeited to the County, or the Board may cash any instrument of credit so deposited in such amount as may be necessary to complete the improvement work.

22.86.040 Intersections and Corner Cutoff Requirements

In all zones at the intersections of roads:

- A. No building or structure shall be used within the area of the curve radii required at the intersections of roads by Section 21.24.110 (Right-of-Way Radius) in Title 21 (Subdivisions) of the County Code, except as permitted below and provided that such structures do not constitute a visual obstruction between three and one-half feet and eight feet above the level of the ground:
 1. Eaves and cantilevered roofs per Section 22.80.090.A (Eaves and Cantilevered Roofs);
 2. Planter boxes and masonry planters per Section 22.80.040.A (Planter Boxes and Masonry Planters);

3. Driveways, walkways, patio slabs, wooden decks and other materials as specified in Section 22.80.040.D (Driveways, Walkways, and Patio Slabs);
 4. On-site signs per Section 22.80.040.H (Sign Location); and
 5. Freestanding signs per Section 22.80.040.I (Freestanding Signs).
- B. Corner cutoffs, per Section 22.86.030.A (Dedication), shall be provided as specified in Section 21.24.110 (Right-of-Way Radius) in Title 21 (Subdivisions) of the County Code.

22.86.050 Major Bridge and Thoroughfare Fees

A building or structure shall not be used on any lot, any portion of which is located within a district established pursuant to Section 21.32.200 (Major Thoroughfare and Bridge Fees) in Title 21 (Subdivisions) of the County Code, unless the required district fee has been paid as a condition of issuing a building permit or unless exempted by Section 22.86.020.A (Applicability).

22.86.060 Modifications

- A. **Director of Regional Planning.** The Director may grant a modification to relieve the applicant either from compliance with all or a portion of Section 22.86.030 (Road Dedication and Improvements) and/or Section 22.86.050 (Major Bridge and Thoroughfare Fees) if the following findings are made:
1. Property adjoining on both sides of the subject property is developed with lawfully existing buildings or structures which, were they not already existing, would be subject to the provisions of this Chapter, and the requirement to dedicate, pave or improve would require a greater width than is the alley, street or highway abutting the existing buildings or structures on the adjoining properties; or
 2. The lot adjoins an alley, street or highway for a distance of 100 feet or more, and only a portion of said lot is to be used for such building or structure or occupied by such use, and the modification will not affect the safety and convenience of bicyclists and pedestrians, including children, senior citizens, and persons with disabilities, using such alley, street or highway.
- B. **Director of Public Works.** The Director of Public Works may grant a modification and relieve the applicant either from compliance with all or a portion of Section 22.86.030 (Road Dedication and Improvements) and/or Section 22.86.050 (Major Bridge and Thoroughfare Fees), if the following findings are made:
1. There is in existence or under negotiation a contract between the County and a contractor to install the required improvements;
 2. The Director of Public Works is unable to furnish grades within a reasonable time;
 3. The required construction would create a drainage or traffic problem;

4. The construction will be isolated from a continuous roadway that may not be improved for many years; or
5. There are in existence partial improvements satisfactory to the Director of Public Works, and he deems construction of additional improvements to be unnecessary or constitute an unreasonable hardship.

C. **Variances.** Any aggrieved person may apply for a Variance from any provision of this Chapter, pursuant to Chapter 22.156 (Variances), whether he has applied for a modification or not. The provisions of Subsections A and B, above, shall constitute additional grounds for a Variance from any provisions of this Chapter.

22.86.070 Highway Lines

In all zones, highway lines are hereby established parallel to the centerline of every parkway, alley, highway and street, as follows:

- A. Forty feet from the centerline for every secondary highway, except as otherwise provided below:
 1. Downey Road—35 feet on the easterly side of the centerline, extending from Whittier Boulevard northerly to 3rd Street, as shown on C.S.B.-2866.
 2. Hooper Avenue—increasing in width on the westerly side of the centerline from a minimum of 40 feet at a point 0.54 foot southerly of the centerline of 67th Street, the westerly boundary of said Hooper Avenue, extending southerly along the westerly boundary of Hooper Avenue (60 feet wide), as shown on map of Tract No. 5450, recorded in Book 59, Pages 94 and 95 of Maps, to a maximum of 50 feet at the centerline of 69th Street as shown on the map. Increasing in width at a uniform rate on the easterly side of the centerline from a minimum of 40 feet at a point 0.54 foot southerly of the centerline of 67th Street, southerly to a maximum of 50 feet at the centerline of 69th Street; 50 feet on each side of the centerline extending from the centerline of 69th Street southerly to a point 133.59 feet southerly of the centerline of 75th Street; decreasing in width at a uniform rate from a maximum of 50 feet on each side of the centerline at a point 133.59 feet southerly of the centerline of 75th Street southerly to a minimum of 40 feet on each side of the centerline at a point 62.60 feet southerly of the centerline of 76th Street, as shown on C.S.B.-5140, sheets 1 and 2.
 3. Pennsylvania Avenue—50 feet on the easterly side of the centerline, extending from the northeasterly boundary of the Route 210 (Foothill) Freeway northerly to Altura Avenue; decreasing in width on the easterly side of the centerline from a maximum of 50 feet at Altura Avenue extending northerly along a curve in the easterly boundary having a radius of 1,351.70 feet to a point 122 feet northerly of the northerly line of Altura Avenue (60 feet wide), and continuing northerly along said easterly boundary along a reverse curve having a radius of 1,335.70 feet a distance of 119 feet, to a minimum of 40 feet, as shown on C.S.B.-5072, sheet 1.

4. 223rd Street—50 feet on the northerly side of the centerline extending from Vermont Avenue westerly to a point 245 feet westerly of the centerline of Vermont Avenue; 50 feet on the southerly side of the centerline extending from Vermont Avenue westerly to a point 295 feet westerly of the centerline of Vermont Avenue; decreasing in width at a uniform rate on the southerly side of the centerline from a maximum of 50 feet at a point 295 feet westerly of the centerline of Vermont Avenue extending westerly to a minimum of 40 feet at a point 395 feet westerly of the centerline of Vermont Avenue; 42 feet on the northerly side of the centerline extending from Meyler Street westerly to Normandie Avenue, as shown on C.S.B.-793, sheet 1.
- B. Fifty feet from the centerline of every major highway, except as otherwise provided below:
1. Arizona-Mednik Avenue—54 feet on each side of the centerline extending from Telegraph Road northerly to a point 277.49 feet northerly of the centerline of Verona Street; decreasing in width at a uniform rate from a maximum of 54 feet on each side of the centerline, extending from a point 277.49 feet northerly of the centerline of Verona Street northerly to a minimum of 50 feet on each side of the centerline at a point 456.61 feet northerly of the centerline of Verona Street; increasing in width at a uniform rate from a minimum of 50 feet on each side of the centerline extending from a point 201.28 feet northerly of the centerline of Whittier Boulevard northerly to a maximum of 54 feet on each side of the centerline at a point 400.44 feet northerly of the centerline of Whittier Boulevard; 54 feet on each side of the centerline extending from a point 400.44 feet northerly of the centerline of Whittier Boulevard northerly to the centerline of First Street, as shown on C.S.B.-2825, sheets 1 and 2.
 2. Atlantic Boulevard—45 feet on each side of the centerline extending, from Whittier Boulevard northerly to the northeasterly boundary of Tract No. 7192 filed in Book 78, Page 38 of Maps, as shown on C.S.B.-8758.
 3. Azusa Avenue—55 feet on each side of the centerline extending from Amar Road southerly to Colima Road, excluding all those portions within the cities of West Covina and Industry, as shown on C.S.B.-707, 2949 and 2628.
 4. Colima Road—60 feet on the southerly and southeasterly side of the centerline extending from Azusa Avenue westerly and southwesterly to the northerly boundary of the city of Whittier; 60 feet on the northerly side of the centerline extending from Azusa Avenue westerly to the easterly boundary of Tract No. 27718, as shown on map recorded in Book 766, Pages 49 and 50 of Maps; 60 feet on the northwesterly side of the centerline extending from a point 186.92 feet northeasterly of the easterly boundary of Tract No. 27176, as shown on map recorded in Book 738, Pages 79 to 81 of Maps, southwesterly to said northerly boundary of the city of Whittier, as shown on C.S.B.-2626, sheets 1 and 2.

5. Del Amo Boulevard—54 feet on the northerly side of the centerline, extending from Wilmington Avenue easterly to Alameda Street, as shown on C.S.B.-617, sheet 4.
 6. Lake Avenue—40 feet on the easterly side of the centerline, extending from the northerly boundary of the city of Pasadena to Woodbury Road; 45 feet on each side of the centerline extending from Woodbury Road northerly to Altadena Drive, as shown on C.S.B.-2900.
 7. Lakes Hughes Road—55 feet on each side of the centerline extending Castaic Road easterly to Ridge Route, as shown on C.S.B.-5001, sheet 1.
 8. Mednik Avenue—described under Arizona-Mednik Avenue.
 9. Paramount Boulevard—55 feet on each side of the centerline, extending from the northeasterly boundary of the city of Montebello northeasterly to San Gabriel Boulevard, as shown on C.S.B.-3068.
 10. Pearblossom Highway—60 feet on each side of the centerline from Sierra Highway northerly and easterly to the centerline of Fort Tejon Road, as shown on C.S.B.-.5396, and C.S.B.-2858, Sheet 3.
 11. Sierra Highway—increasing in width at a constant rate on each side of the centerline from a minimum centerline of the Angeles Forest Highway to a maximum of 60 feet northerly of the centerline of the Angeles Forest Highway, 60 feet on each side of the centerline extending from a point 640.00 feet northerly of the centerline of the Angeles Forest Highway northerly to the centerline of Pearblossom Highway as shown on C.S.B.-.5396, C.S.B.-.5505, and F.M. 120048, Sheets 2 and 3.
 12. Slauson Avenue—47 feet on the southerly side of the centerline extending from Wilmington Avenue westerly to Central Avenue, as shown on C.S.B.-2930.
- C. Parkways, minimum 40 feet from centerline, except as otherwise provided herein:
1. Grand Avenue—60 feet on the easterly side of the centerline extending from the northwesterly boundary of the city of Walnut northerly to the centerline of Golden Bough Drive; 55 feet on the easterly side of the centerline extending from the centerline of Golden Bough Drive northwesterly to the southerly boundary of the City of West Covina at a point approximately 78 feet southeasterly of the centerline of Virginia Avenue; 60 feet on the westerly side of the centerline extending from said northwesterly boundary of the city of Walnut northerly to the centerline of Cortez Street; 50 feet on the westerly side of the centerline extending from the centerline of Cortez Street northerly to the centerline of Sunset Hill Drive; 55 feet on the westerly side of the centerline extending from the centerline of Sunset Hill drive northerly to said southerly boundary of the city of West Covina, as shown on C.S.B. 5049, sheets 1 and 2.

2. Huntington Drive—As used in this Subsection, “centerline” means the centerline of the northerly roadway of Huntington Drive—44 feet on the northerly side of the centerline extending from the centerline of Michillinda Avenue westerly to the centerline of Rosemead Boulevard; 51 feet on the northerly side of the centerline extending from the centerline of Rosemead Boulevard westerly to the centerline of Lotus Avenue; 40 feet on the northerly side of the centerline extending from the centerline of Lotus Avenue westerly to a point 50 feet westerly of the centerline of Madre Street; decreasing in width at a uniform rate on the northerly side of the centerline from a maximum of 40 feet at a point 50 feet westerly of the centerline of Madre Street to a minimum of 20 feet at a point 350 feet westerly of the centerline of Madre Street; 20 feet on the northern side of the centerline extending from a point 350 feet westerly of the centerline of Madre Street westerly to a point 639.12 feet easterly of the centerline of El Campo Drive; 51 feet on the northerly side of the centerline extending from a point 639.12 feet easterly of the centerline of El Campo Drive westerly to the centerline of El Campo Drive; 20 feet on the northerly side of the centerline extending from the centerline of El Campo Drive westerly to the centerline of San Gabriel Boulevard, as shown on C.S.B.-2700.
 3. Mulholland Highway—50 feet on each side of the centerline extending from Pacific Coast Highway northerly and easterly to a point 5,847.20 feet westerly of the centerline of Las Virgenes Canyon Road; 60 feet on each side of the centerline extending from a point 5,847.20 feet westerly of the centerline of Las Virgenes Canyon Road easterly to a point 4,780.20 feet westerly of the centerline of Las Virgenes Canyon Road; 50 feet on each side of the centerline extending from a point 4,780.20 feet westerly of the centerline of Las Virgenes Canyon Road easterly and northerly to the southerly boundary of the city of Los Angeles, as shown on C.S.B.-8824, sheets 9, 11, 13, 14; C.S.B.-2836; F.M. 20265, sheets 2, 3, 4; C.S.B.2881; F.M. 11541, sheet 3; F.M. 20235, sheets 1, 2; and C.S.B. 2336, sheets 1, 2, 3, 4.
- D. Alleys and streets, one-half the planned ultimate width for alleys or streets, pursuant to the standards of Section 21.24.090 (Right-of-Way and Roadway Width Requirements—Cross-section Diagrams) of Title 21 (Subdivisions) of the County Code unless in the opinion of the Director, topographic features, subdivision plans, or other conditions create an unnecessary hardship or unreasonable regulation and he deems a lesser width adequate. The Director shall designate the distance from the centerline in any case where such ultimate width is not specified.
- E. Limited secondary highway, thirty-two feet from centerline; this may be increased to 40 feet for additional improvements where traffic or drainage conditions warrant.

Chapter 22.88 Density Bonuses and Affordable Housing Incentives

Sections:

22.88.010	Purpose
22.88.020	Definitions
22.88.030	Applicability
22.88.040	Density Bonus
22.88.050	Incentives
22.88.060	Parking Reduction
22.88.070	Waiver or Modification of Development Standards
22.88.080	Senior Citizen Housing Option
22.88.090	Affordable Housing Option

22.88.010 Purpose

The purpose of this Chapter is to implement state density bonus requirements, as set forth in Section 65915 of the California Government Code, as amended, and to increase the production of affordable housing and senior citizen housing to complement the communities in which they are located.

22.88.020 Definitions

Specific term(s) used in this Chapter are defined in Division 2 (Definitions), under “Density Bonuses and Affordable Housing Incentives”.

22.88.030 Applicability

- A. Notwithstanding any other provision of this Title 22, the provisions of this Chapter, in conjunction with Chapter 22.126 (Housing Permits), shall apply in all zones that allow residential uses.
- B. Applications deemed complete prior to February 16, 2006, may request that the provisions in effect at the time of filing be applied. The determination in such cases shall be deemed to satisfy the requirements of this Chapter and Chapter 22.126 (Housing Permits).

22.88.040 Density Bonus

- A. **Eligibility.** Qualified projects meeting the eligibility requirements set forth in this Section shall be granted density bonuses in the amounts shown in Table 22.88.040-A, below.

TABLE 22.88.040-A:DENSITY BONUS ELIGIBILITY REQUIREMENTS					
Qualified Projects	Minimum Set-Aside		Density Bonus		
			Basic	Additional**	Maximum
Affordable Housing Set-Aside	Very low	5%	20%	1%:2.5%	35%*
	Lower	10%	20%	1%:1/5%	35%*
	Moderate (for sale only)	10%	5%	1%:1%	35%*
Senior Citizen Housing Set-Aside	A senior citizen housing development		20%	N/A	20%
	A mobilehome park for senior citizens		20%	N/A	20%
Land Donation	Very low	10%	15%	1%:1%	35%
County Infill Sites Program (projects of 2 or 3 units prebonus) ***	N/A		1 unit	N/A	1 Unit
Notes: * Child care facility. A qualified project that includes an affordable housing set-aside, and also includes a child care facility, shall be granted either an additional bonus in an amount of square feet of residential floor area equal to the amount of square feet in the child care facility that significantly contributes to the economic feasibility of constructing the child care facility, or an additional incentive as described in Section 22.92.050 (Incentives). ** Additional increases in density bonuses expressed as 'x%:y%' means that with every x% increase in the housing set aside, the density bonus shall increase by y%. *** Transfer of density. Where a qualified project that is a participant in the County Infill Sites Program proposes to concurrently develop noncontiguous properties, within the same major planning area as defined in the general plan, or located within a quarter mile of each other, the transfer of density bonuses from one property to another may be approved provided that: 1) The total density bonuses approved shall not exceed that obtained if developed separately; 2) Such properties shall be concurrently developed, and that all affordable housing set-aside units shall be constructed at the same time as or prior to other dwelling units on either site; and 3) The applicant shall demonstrate the ability to complete the development approved, in terms of ownership or control of the sites.					

1. **Affordable Housing Set-Asides.**

- a. *Minimum Units Required.* The total number of dwelling units of the qualified project shall be five units or more.
- b. *Duration of Affordability.* The owner of the qualified project meeting the requirements of this Subsection A shall record a document in accordance with Section 22.126.060 (Covenant and Agreement), and shall be subject to monitoring procedures per Section 22.126.070 (Monitoring), guaranteeing either of the following:
 - i. For very low, lower, and moderate (single-family) income housing set-asides, that the relevant affordability criteria will be observed for at least 30 years from the issuance of the certificate of occupancy.
 - ii. For moderate income housing set-asides (common interest developments), that the initial occupants are persons and families of moderate income.
- c. *Compatibility.* The housing set-aside units shall be compatible with the exterior design of other units within the qualified project in terms of appearance, materials and finished quality.

2. Senior Citizen Housing Set-Asides.

- a. *Senior Citizen Housing Development.* The qualified project shall meet the requirements described in Section 51.3 of the California Civil Code.
- b. *Mobilehome Park for Senior Citizens.* Pursuant to Section 798.76 or 799.5 of the California Civil Code, the mobilehome park shall be restricted to senior citizens as described in this Chapter.
- c. *Duration of Age-Restriction.* The owner of a qualified project meeting the requirements of this Subsection A.2 shall record a document in accordance with Section 22.126.060 (Covenant and Agreement) and shall be subject to monitoring procedures per Section 22.126.070 (Monitoring), to ensure the age restrictions of the housing set-asides for at least 30 years and in accordance with Section 51.3, 798.76, or 799.5 of the California Civil Code.

3. Land Donations. To receive a density bonus for land donations as provided in Section 65915 of the California Government Code, a qualified project shall meet the following requirements:

- a. The developable acreage and zoning classification of the transferred land shall be sufficient to permit the construction of dwelling units affordable to very low income households in an amount not less than 10 percent of the number of dwelling units of the qualified project.
- b. The transferred land shall be at least one acre in size or of sufficient size to permit the development of at least 40 units.
- c. The applicant shall donate and transfer the land to the Community Development Commission (CDC) no later than the date of approval of the final subdivision map, parcel map, or residential development application.
- d. The transferred land shall have the appropriate zoning classification and general plan designation to allow the construction of affordable housing.
- e. The transferred land shall be served by adequate public facilities and infrastructure.
- f. The transferred land shall meet the appropriate zoning and development standards to make the development of units set aside for very low income households feasible.
- g. The transferred land shall be located within the unincorporated area of the County and within the boundary of the qualified project, or no more than approximately one-quarter of a mile from the boundary of the qualified project.

- h. The land shall be transferred to the CDC and a deed restriction shall be recorded with the Registrar-Recorder/County Clerk at the time of dedication, in order to ensure the continued affordability of the units.
- i. A qualified project that donates land and includes affordable housing set-asides, in accordance with this Section, shall be eligible for the provisions set forth for affordable housing set-asides. The density bonus for a land donation and for an affordable housing set-aside may be combined, but in an amount not to exceed 35 percent.

4. County Infill Sites Program.

- a. The qualified project shall be a participant in the County Infill Sites Program, which is administered by CDC.
- b. Projects that consist of one to four units shall not be eligible for a density bonus.
- c. The owner of a qualified project that is a participant in the County Infill Sites Program shall record a document in accordance with Section 22.126.060 (Covenant and Agreement), guaranteeing that the relevant affordability criteria, as determined by the CDC, and will be observed from the issuance of the certificate of occupancy, and will be subject to the monitoring procedures, as described in 22.126.070 (Monitoring).

5. Child Care Facilities.

- a. The household incomes and the percentage of the families whose children attend the child care facility shall correspond with the affordable housing set-aside.
- b. The owner of the qualified project shall record a document in accordance with Section 22.126.060 (Covenant and Agreement), ensuring that the child care facility shall remain in operation during the term of affordability, as described in this Section.

B. Density Bonus Calculations.

- 1. **Fractional Units.** In calculating a density bonus or housing set-aside, fractional units shall be rounded up to the next whole number.
- 2. **Total Dwelling Units.** As used in this Chapter, the "total dwelling units" do not include units permitted by a density bonus awarded pursuant to this Chapter, or any other section in this Title 22 granting a greater density bonus. The density bonus shall not be included when calculating the housing set-aside.
- 3. **Lesser Density Bonus.** A reduction in the required minimum housing set-aside shall not be permitted when an applicant requests a lesser density bonus than what is granted in this Section.

4. **Not Cumulative.** Except as specified otherwise, when more than one housing set-aside category applies, the density bonuses, as described in this Section, shall not be cumulative.
5. **Permit Type.** The granting of density bonuses that conform to the requirements of this Section is subject to an Administrative Housing Permit, as described in Chapter 22.126 (Housing Permits) of this Title 22.

22.88.050 Incentives

- A. **Eligibility.** A qualified project that provides an affordable housing set-aside, as described in Section 22.88.040 (Density Bonus), shall be granted incentives in the amounts shown in Table 22.88.050-A, below.

TABLE 22.88.050-A:NUMBER OF INCENTIVES				
Qualified Projects		Incentives		
		One*	Two*	Three*
Affordable housing set-aside	Very Low	5%	10%	15%
	Lower	10%	20%	30%
	Moderate (for-sale only)	10%	20%	30%
* Child care facility: When a qualified project includes a child care facility, the applicant shall receive one additional incentive that significantly contributes to the economic feasibility of constructing the child care facility, or a square footage density bonus, as described in Section 22.88.040.A (Eligibility).				

- B. **Menu of Incentives.** A qualified project that provides an affordable housing set-aside may request incentives, pursuant to Subsection A, above, from the menu of incentives, as shown in Table 22.88.050-B, below.

TABLE 22.88.050-B:MENU OF INCENTIVES*	
Incentive	Description
Yard/setback	<ul style="list-style-type: none"> Up to a 20% modification from side yard/setback requirements. Up to a 35% modification of front and rear yard/setback requirements. All yard/setback modifications shall count as one incentive.
Building Height	<ul style="list-style-type: none"> Up to a 10 foot increase in height. Where a qualified project shares an adjoining interior side property line with a single family residential property in Zone R-1, for every additional foot in height above the maximum allowed in the basic zone, the portion of the building exceeding the basic height limit shall be stepped back an additional foot (and may be determined from a modified yard/setback) from adjoining residential properties, except that roof structures and architectural features may be allowed within the step-back portion up to 42 inches in height.
Stories	<ul style="list-style-type: none"> An additional story. The building height must conform to either the height requirements of the basic zone or as modified through the use of an on-menu incentive.
Lot Size	<ul style="list-style-type: none"> Up to 20% modification from lot size requirements. Up to 35% modification from lot size requirements for qualified projects in which 100% of the units are set aside for very low or lower income households.
Lot Width	<ul style="list-style-type: none"> Up to 20% modification from lot width requirements. Up to 35% modification from lot width requirements for qualified projects in which 100% of the units are set aside for very low or lower income households.

TABLE 22.88.050-B: MENU OF INCENTIVES*	
Incentive	Description
Parking	<ul style="list-style-type: none"> For qualified projects in which 100% of the units are set aside for very low or lower income households and are within a 1,500-ft. radius of a fully funded mass transit station or bus stop along a major bus route, the following parking rates shall apply: <ul style="list-style-type: none"> -Single-family Dwelling Units; <ul style="list-style-type: none"> Any number of bedrooms: 1.0 parking space/unit. -Multi-family Dwelling Units; <ul style="list-style-type: none"> 0—1 bedrooms: 0.75 parking space/unit. 2 or more bedrooms: 1.5 parking spaces/unit. Parking may be provided by tandem parking or uncovered parking, but not on-street parking. Parking is inclusive of guest and accessible parking spaces.
Density	<ul style="list-style-type: none"> Up to a 50% density bonus for qualified projects in which 100% of the units are set aside for very low or lower income households.
Fee Waiver	<ul style="list-style-type: none"> For qualified projects in which 100% of the units are set-aside for very low or lower income households, for-profit developers may be exempted from planning and zoning fees, not including CDC evaluation and monitoring fees or deposits required by the Filing Fee Schedule. (Note: Non-profit developers are already eligible for exemptions from County review fees when projects are formally sponsored by the CDC, and the non-profit fee exemption does not require the use of an incentive.)
<p>Notes:</p> <p>* Project prerequisites: To be eligible for on-menu incentives, the qualified project must be outside of a Very High Fire Hazard Severity Zone, as defined in Section 223-V of Title 32 (Fire Code) of the LA County Code; within an area that is served by a public sewer system; not within a Significant Ecological Area; not within an environmentally-sensitive habitat area, as shown on the sensitive environmental resources map of the Malibu Land Use Plan; and not on land having a natural slope of 25% or more. Where other discretionary approvals (i.e., Plan Amendment, Zone Change, Coastal Development Permit, Discretionary Site Plan Review, Conditional Use Permit, etc.) are required to regulate land use, this menu is advisory only.</p>	

C. Off-Menu Incentives. A qualified project that provides an affordable housing set-aside may request incentives, pursuant to Subsection A, above, not listed on the menu of incentives; these incentives shall be deemed "off-menu" incentives.

D. County Infill Sites Program.

- 1. Menu of Incentives.** A qualified project that is a participant in the County Infill Sites Program shall be eligible for the incentives shown in Table 22.88.050-C, below.

TABLE 22.88.050-C: COUNTY INFILL SITES PROGRAM INCENTIVES**	
Incentive	Description
Yard/setback	<ul style="list-style-type: none"> Up to a 20% modification from side yard/setback requirements. Up to a 35% modification of front and rear yard/setback requirements. In the case of a common wall development, 100% reduction where common walls are at or intersect a common/shared lot line within the project site.
Building Height	<ul style="list-style-type: none"> Up to a 10 foot increase in height. Where a qualified project shares an adjoining interior side property line with a single family residential property in Zone R-I, for every additional foot in height above the maximum allowed in the basic zone, the portion of the building exceeding the basic height limit shall be set back an additional foot (and may be determined from a modified yard/setback) from adjoining residential properties, except that roof structures and architectural features may be allowed within the step-back portion up to 42 inches in height.
Stories	<ul style="list-style-type: none"> An additional story. The building height must conform to either the height requirements of the basic zone or as modified through the use of an on-menu incentive.
Lot Size	<ul style="list-style-type: none"> Up to 50% modification from lot size requirements.
Lot Width	<ul style="list-style-type: none"> Up to 50% modification from lot width requirements.

TABLE 22.88.050-C:COUNTY INFILL SITES PROGRAM INCENTIVES**	
Incentive	Description
Parking	<ul style="list-style-type: none"> For qualified projects that are within a 1,500 ft. radius of a fully funded mass transit station or bus stop along a major bus route, the following parking rates shall apply: <ul style="list-style-type: none"> -Single-family dwelling units; <ul style="list-style-type: none"> Any number of bedrooms: 1.0 parking space/unit; -Multi-family dwelling units; <ul style="list-style-type: none"> 0-3 bedrooms: 1.0 parking space/unit; 4 or more bedrooms: 1.5 parking spaces/unit. Parking may be provided by tandem parking or uncovered parking, but not on-street parking. Parking is inclusive of guest and accessible parking spaces.
<p>Notes:</p> <p>** Transfer of incentives. Where a qualified project that is a participant in the County Infill Sites Program proposes to concurrently develop noncontiguous properties, within the same major planning area as defined in the General Plan, or located within a quarter mile of each other, the transfer of incentives from one property to another may be approved provided that:</p> <ol style="list-style-type: none"> 1) The total incentives approved shall not exceed that obtained if developed separately; 2) Such properties shall be concurrently developed, and that all affordable housing set-aside units shall be constructed at the same time as or prior to other dwelling units on either site; and 3) The applicant shall demonstrate the ability to complete the development approved, in terms of ownership or control of the sites. 	

2. **Off-Menu Incentives.** A qualified project that is a participant in the County Infill Sites Program may request up to three additional off-menu incentives beyond the incentives provided in Table 22.88.050-C, above.

E. **Permit Type.** The granting of on-menu and off-menu incentives that conform to the requirements of this Section is subject to an Administrative Housing Permit, as described in Chapter 22.126 (Housing Permits).

22.88.060 Parking Reduction

A. **Eligibility.** Notwithstanding any other provisions of this Title 22, including those relating to land donations and participants in the County Infill Sites Program, qualified projects shall be granted the maximum parking ratios described in Table 22.88.060-A, below, which shall apply to the entire project, when requested by the applicant. The granting of a parking reduction shall not count against incentives provided in Section 22.88.050 (Incentives).

TABLE 22.88.060-A: PARKING RATIOS*	
Dwelling Unit Size	Parking Spaces per Unit
0-1 bedroom	1 space
2-3 bedrooms	2 spaces
4 or more bedrooms	2.5 spaces
<p>Note:</p> <p>* Parking may be provided by tandem parking or uncovered parking, but not on-street parking. Parking is inclusive of guest and accessible parking spaces.</p>	

B. **Calculations.** If the calculation of the total number of parking spaces required results in a fractional number, the requirement shall be rounded up to the next whole number.

C. **Permit Type.** The granting of the parking reduction as described in this Section is subject to an Administrative Housing Permit, as described in Chapter 22.126 (Housing Permits).

22.88.070 Waiver or Modification of Development Standards

- A. **Eligibility.** Notwithstanding any other provisions of this Title 22, including those relating to land donations pursuant to Section 22.88.040.A.3 (Land Donations), qualified projects shall be granted waivers or modifications of development standards that are necessary to construct qualified projects. The granting of a waiver or modification of development standards shall not count against incentives provided in Section 22.88.050 (Incentives).
- B. **Permit Type.** The granting of waivers or modifications of development standards is subject to a Discretionary Housing Permit, as described in Chapter 22.126 (Housing Permits).

22.88.080 Senior Citizen Housing Option

- A. **Eligibility.** A qualified project that provides a senior citizen housing set-aside, in accordance with Section 22.88.040 (Density Bonus), may request a greater density bonus, but not to exceed 50 percent of the normally permitted density maximum of the zone, if the senior citizen housing set-aside is at least 50 percent of the project.
 - 1. The senior citizen housing set-aside shall meet the requirements for senior citizen housing, as provided in Section 51.3, 798.76, or 799.5 of the California Civil Code.
 - 2. For a qualified project meeting the requirements of this Subsection A, the owner shall record a document in accordance with Section 22.126.060 (Covenant and Agreement) to ensure the age restrictions of the housing set-aside for at least 30 years and in accordance with Section 51.3, 798.76, or 799.5 of the California Civil Code.
- B. **Permit Type.** The granting of density bonuses through the senior citizen option is subject to a Discretionary Housing Permit, as described in Chapter 22.126 (Housing Permits).

22.88.090 Affordable Housing Option

- A. **Eligibility.** A qualified project that provides an affordable housing set-aside, in accordance with Section 22.88.040 (Density Bonus), may request a greater density bonus and incentives that do not meet the findings specified in Section 22.126.100.B (Findings and Decision).
 - 1. **Applicability.** The provisions of this Subsection shall not apply to the granting of greater density bonuses as incentives, pursuant to Section 22.88.050.C (Off-Menu Incentives) or Section 22.88.050.D (County Infill Sites Program).
 - 2. **Duration of Affordability.** The owner of a qualified project shall record a document in accordance with Section 22.126.060 (Covenant and Agreement) and shall be subject to monitoring procedures per Section 22.126.070 (Monitoring), guaranteeing that the relevant affordability criteria will be

observed for at least 30 years from the issuance of the certificate of occupancy

- B. Transfer of Density and Incentives.** Where an applicant proposes to concurrently develop noncontiguous properties, within the same major planning area as defined in the General Plan, or located within a quarter mile of each other, the transfer of density bonuses and incentives from one property to another may be approved provided that:
1. The total density bonuses and incentives approved shall not exceed those which could be obtained if developed separately;
 2. Such properties shall be concurrently developed, and that all affordable housing set-aside units shall be constructed at the same time as or prior to other dwelling units on either site; and
 3. That the applicant shall demonstrate the ability to complete the housing development approved, in terms of ownership or control of the sites.
- C. Permit Type.** The granting of greater density bonuses and the transfer of density and incentives through the affordable housing option is subject to a Discretionary Housing Permit as described in Chapter 22.126 (Housing Permits).

Chapter 22.90 Green Building

Sections:

22.90.010	Purpose
22.90.020	Definitions
22.90.030	Applicability
22.90.040	General Provisions
22.90.050	Site Plan Review
22.90.060	Waiver or Modification of Requirements
22.90.070	Exemptions

22.90.010 Purpose

- A. The purpose of this Chapter is to establish green building development standards for new projects. Green building practices are intended to:
 - 1. Conserve water;
 - 2. Conserve energy;
 - 3. Conserve natural resources;
 - 4. Divert waste from landfills;
 - 5. Minimize impacts to existing infrastructure; and
 - 6. Promote a healthier environment.
- B. This Chapter shall be construed to augment any County, State or federal ordinance, statute, regulation, or other requirement governing the same or related matter, including a supplemental district, community standards district, or transit-oriented district established under this Title 22, and where a conflict exists between a provision in this Chapter and such other ordinance, statute, regulation, or requirement, the stricter provision shall apply to the extent permitted by law.

22.90.020 Definitions

Specific term(s) used in this Chapter are defined in Division 2 (Definitions), under "Green Building".

22.90.030 Applicability

- A. This Chapter shall become effective on January 1, 2009 and shall apply to all projects within the unincorporated areas of the County after that date except for the following:
 - 1. Any project where a complete building permit application was filed with the Department of Public Works prior to January 1, 2009, except as provided in Subsection A.3, below;

2. Any project where a building permit was obtained prior to January 1, 2009, and expired prior to its use, where the Department of Public Works determines that the use of the building permit was delayed because of third-party litigation against the County related to the County's approval of the project. This exemption shall not apply if the Department of Public Works determines that material changes to the scope of the building permit are required as a result of the litigation;
 3. Any project involving construction of single-family residences on lots created by a parcel map which created four or fewer residential lots, or any project involving a building permit for the construction of one single-family residence on a legal lot, in both cases where a complete building permit application was filed with the Department of Public Works prior to April 1, 2009; and
 4. Any project that is exempt from the provisions of this Chapter pursuant to Section 22.90.070 (Exemptions).
- B. Where a project involves a subdivision map with single-family lots and the map was approved after the effective date of this Chapter, the total number of single-family lots on the originally approved map shall be deemed to be the number of dwelling units in the project for purposes of determining the project's appropriate green building requirements under Table 22.90.040-A, below.

22.90.040 General Provisions

- A. Table 22.90.040-A, below, summarizes the general green building requirements for a project, which requirements shall be based on the building permit application filing date for the project.
- B. If a project falls within more than one project description in Table 22.90.040-A, below, the project description with the more stringent green building requirements shall apply.

Table 22.90.040-A: Green Building Requirements for Projects		
Project Description	Building Permit Application Filed on or after January 1, 2009, but before January 1, 2010	Building Permit Application Filed on or after January 1, 2010
Residential projects with < 5 dwelling units	County Green Building Standards	County Green Building Standards
Residential projects with ≥ 5 dwelling units	County Green Building Standards	County Green Building Standards & (GPR or LEED Certified)
Hotels/motels, lodging houses, non-residential, and mixed-use buildings, with a gross floor area of < 10,000 square feet	County Green Building Standards	County Green Building Standards
Hotels/motels, lodging houses, non-residential, and mixed-use buildings, and first-time tenant improvements, with a gross floor area of ≥ 10,000 square feet and < 25,000 square feet	County Green Building Standards	County Green Building Standards & LEED Certified
Hotels/motels, lodging houses, non-residential, and mixed-use buildings, and first-time tenant improvements, with a gross floor area of ≥ 25,000 square feet	County Green Building Standards	County Green Building Standards & LEED™ Silver
High-rise buildings > 75 feet in height	County Green Building Standards	County Green Building Standards & LEED™ Silver

C. County Green Building Standards.

1. **Energy Conservation.** All projects shall be designed to consume at least 15 percent less energy than allowed under the 2005 Update to the California Energy Efficiency Standards, except that projects exempt from energy compliance under these 2005 standards shall also be exempt from this requirement. Energy usage for purposes of this Subsection C.1 shall be determined by the Time Dependent Valuation Method described in Title 24, Part 6 (California Energy Code) of the California Code of Regulations.
2. **Outdoor Water Conservation.**
 - a. A smart irrigation controller shall be installed for any area of a lot that is landscaped or designated for future landscaping.
 - b. All landscaped areas shall meet the drought-tolerant requirements set forth in Chapter 22.92 (Drought-Tolerant Landscaping).
3. **Indoor Water Conservation.** All tank-type toilets installed in residential projects containing five or more dwelling units, regardless of gross floor area, or in hotels/motels, lodging houses, non-residential, and mixed-use buildings with a gross floor area of at least 10,000 square feet shall be high-efficiency toilets (maximum 1.28 gallons per flush).
4. **Resource Conservation.**
 - a. A minimum of 50 percent of non-hazardous construction and demolition debris by weight from all residential projects containing less than five dwelling units regardless of gross floor area, or from hotels/motels, lodging houses, non-residential, and mixed-use buildings with a gross floor area of less than 10,000 square feet shall be recycled and/or salvaged for reuse.
 - b. A minimum of 65 percent of non-hazardous construction and demolition debris by weight from all residential projects containing at least five dwelling units regardless of gross floor area, or from hotels/motels, lodging houses, non-residential, and mixed-use buildings with a gross floor area of at least 10,000 square feet shall be recycled and/or salvaged for reuse.
 - c. Compliance with this Subsection C.4 shall be governed by the methods and procedures set forth in Chapter 20.87 of Title 20 (Utilities) of the County Code.
5. **Tree Planting.**
 - a. For each lot containing a single-family residence, a minimum of two 15-gallon trees shall be planted and maintained, at least one of which shall be from the drought-tolerant plant list. The satisfaction of the number of trees may be used to fulfill other tree-planting requirements of this Title 22.

- b. For each lot containing a multi-family building, a minimum of one 15-gallon tree shall be planted and maintained for every 5,000 square feet of developed area, at least 50 percent of which shall be from the drought-tolerant plant list. The satisfaction of the number of trees may be used to fulfill other tree-planting requirements of this Title 22.
 - c. For each lot containing a hotel/motel, lodging houses, and non-residential buildings, a minimum of three 15-gallon trees shall be planted and maintained for every 10,000 square feet of developed area, at least 65 percent of which shall be from the drought-tolerant plant list. The satisfaction of the number of trees may be used to fulfill other tree-planting requirements of this Title 22.
 - d. *Exceptions to Tree-Planting Requirements.*
 - i. If the lot size or other site condition makes the planting of the required trees pursuant to this Subsection C.5 impractical in the opinion of the Director, the Director may approve the planting of the required trees off-site at twice the ratio than would otherwise be required by this Subsection C.5. The procedures for planting trees off-site shall be set forth in the green building technical manual and proof that such trees have been planted off-site shall be submitted to the Department.
 - ii. Any existing mature tree on the involved lot shall count towards the tree planting requirements of this Subsection C.5 regardless of whether such tree is listed on the drought-tolerant plant list. Such existing mature tree shall be shown on the site plan submitted to the Department.
- D. Additional Green Building Requirements for Certain Projects.** In addition to the green building requirements set forth in Subsection C, above, this Subsection D sets forth green building requirements for certain projects, described below, where the building permit application for such project is filed on or after January 1, 2010.
- 1. For a residential project containing five or more dwelling units, the project shall achieve GPR or LEED™ certification or, at the option of the applicant, shall achieve the equivalency of any such certification, as determined by the Department of Public Works.
 - 2. For a hotel/motel, lodging house, non-residential or mixed-use building, or first-time tenant improvement, with a gross floor area of at least 10,000 square feet but less than 25,000 square feet, the project applicant shall retain a LEED™ accredited professional or other green building professional, approved by the Directors of Regional Planning and Public Works, to be part of the project design team. In addition, the project shall achieve the equivalency of LEED™ certification, either through USGBC certification or through an equivalency determination by the Department of Public Works.

The building design submitted to the Department of Public Works shall show all of the building elements that will be used to achieve such certification or such equivalency determination.

3. For a hotel/motel, lodging house, non-residential or mixed-use building, or first-time tenant improvement project, with a gross floor area greater than 25,000 square feet or for a high-rise building greater than 75 feet in height, the project applicant shall retain a LEED™ accredited professional or other green building professional, approved by the Directors of Regional Planning Public Works, to be part of the project design team. In addition, the project shall achieve the equivalency of a LEED™ silver certification, either through USGBC certification or through an equivalency determination by the Department of Public Works. The building design submitted to the Department of Public Works shall show all of the building elements that will be used to achieve such certification or such equivalency determination.
4. For purposes of this Subsection D, the determination of whether a project achieves the equivalency of LEED™ certification shall be based on the project's use of a defined subset of menu options set forth in the green building technical manual.

E. Updates to the Green Building Technical Manual. The green building technical manual shall be updated with revised third-party standards and rating systems as provided in this Subsection E.

1. The green building taskforce established by the Board shall annually review all updates to the third-party standards and rating systems, or more frequently as deemed necessary by the taskforce, to determine whether, in its opinion, the inclusion of such updates in the green building technical manual is appropriate. Any such determination by the green building taskforce shall be submitted to the Commission in the form of a recommendation.
2. The Commission shall hold a public hearing pursuant to Chapter 22.162.120 (Public Hearing Procedure) to consider any and all recommendations by the green building taskforce described in Subsection E.1, above. No update to the third-party standards and rating systems may be included in the green building technical manual, or relied upon for compliance with this Chapter, until such update is approved for inclusion in the manual by the Commission. Any decision by the Commission regarding such inclusion shall be appealable to the Board and, if appealed, shall not be included in the manual or relied upon for compliance with this Chapter until final action by the Board on such appeal.
3. Any approved update to the green building technical manual pursuant to this Subsection shall be effective six months after the Commission, or, where applicable, the Board, takes final action to approve such update, except that updates related to the California energy efficiency standards shall be effective in accordance with state law.

22.90.050 Site Plan Review

- A. Compliance with the green building requirements of this Chapter shall be shown on a Ministerial Site Plan Review application under this Title 22, where such application required by this Title 22 shall clearly depict or list any green building elements that will be incorporated into the project. In addition, all building plans and specifications required by the Department of Public Works for the project shall also clearly depict or list such green building elements. The Department of Regional Planning shall approve compliance with these requirements in concept only. Final approval of such compliance shall be made by the Department of Public Works.
- B. The same site plan application shall be used to show compliance with this Chapter, the drought-tolerant landscaping requirements in Chapter 22.92 (Drought-Tolerant Landscaping), and the low-impact development standards described in Chapter 12.84 of Title 12 (Environmental Protection) of the County Code, to the extent that these other requirements apply to the project.
- C. In any case where a site plan application for a project has been or will be concurrently filed with an application for a permit, variance, zone change, development agreement, or other discretionary entitlement under this Title 22, or with an application for a subdivision under Title 21 (Subdivisions) of the County Code, the site plan procedure set forth above in this Section shall not apply and instead, the Exhibit "A," tentative map, or other site plan required for such other approval shall be used to show compliance with this Chapter.

22.90.060 Waiver or Modification of Requirements

The Director of Public Works may grant a waiver or modification to the requirements of this Chapter for a project whenever said Director determines that there are practical difficulties involved in carrying out the provisions of this Chapter, provided that said Director finds that a special individual reason makes the strict letter of this Chapter impractical, that the waiver or modification is in conformity with the spirit and purpose of this Chapter, and that such modification does not lessen any fire-protection or other life-safety-related requirements or any degree of structural integrity. The details of any such action by the Director of Public Works granting a waiver or modification to the requirements of this Chapter shall be memorialized in writing and maintained in the files of the Departments of Regional Planning and Public Works.

22.90.070 Exemptions

- A. The following projects shall be exempt from the provisions of this Chapter:
 - 1. Agricultural accessory structures;
 - 2. Registered historic sites; and
 - 3. First-time tenant improvements with a gross floor area of less than 10,000 square feet.
- B. Areas of a project that include warehouse/distribution buildings, refrigerated warehouses, and industrial/manufacturing buildings shall be exempt from the energy conservation requirements in Section 22.90.040.C.1 (Energy

Conservation) and the third-party standards and rating system requirements in Section 22.90.040.D (Additional Green Building Requirements for Certain Projects). Any office space, non-refrigerated, non-warehouse, and non-industrial/manufacturing areas of a building that are physically separated from the exempted area of the building just described, as determined by the Director of Public Works, shall comply with all of the requirements of this Chapter.

Chapter 22.92 Drought-Tolerant Landscaping

Sections:

22.92.010	Purpose
22.92.020	Definitions
22.92.030	Applicability
22.92.040	Drought-Tolerant Landscaping Requirements
22.92.050	Site Plan Review
22.92.060	Additional Requirements
22.92.070	Exemptions
22.92.080	Modification of Landscape Requirements

22.92.010 Purpose

- A. The purpose of this Chapter is to establish minimum standards for the design and installation of landscaping using drought-tolerant plants and native plants that require minimal use of water. These requirements will help conserve water resources by requiring landscaping that is appropriate to the region's climate and to the nature of a project's use.
- B. The provisions of this Chapter shall be construed to augment the regulations of any retail or wholesale water provider, and any County, State, or federal ordinance, statute, regulation, or other requirement governing the same or related matter, including a supplemental district, community standards district, or transit-oriented district established under this Title 22, and also including Chapter 71 (Water Efficient Landscaping) of Title 26 (Building Code) of the County Code, and where a conflict exists between a provision in this Chapter and such other ordinance, statute, regulation, or other requirement, the stricter provision shall apply to the extent permitted by law.

22.92.020 Definitions

Specific term(s) used in this Chapter are defined in Division 2 (Definitions), under "Drought-Tolerant Landscaping".

22.92.030 Applicability

This Chapter shall become effective on January 1, 2009, and shall apply to all projects within unincorporated areas of the County after that date except for the following:

- A. Any project where a complete building permit application was filed with the Department of Public Works prior to January 1, 2009.
- B. Any project involving construction of single-family residences on lots created by a parcel map which created four or fewer residential lots, or any project involving a building permit for the construction of one single-family residence on a legal lot, in both cases where a complete building permit application was filed with the Department of Public Works prior to April 1, 2009.

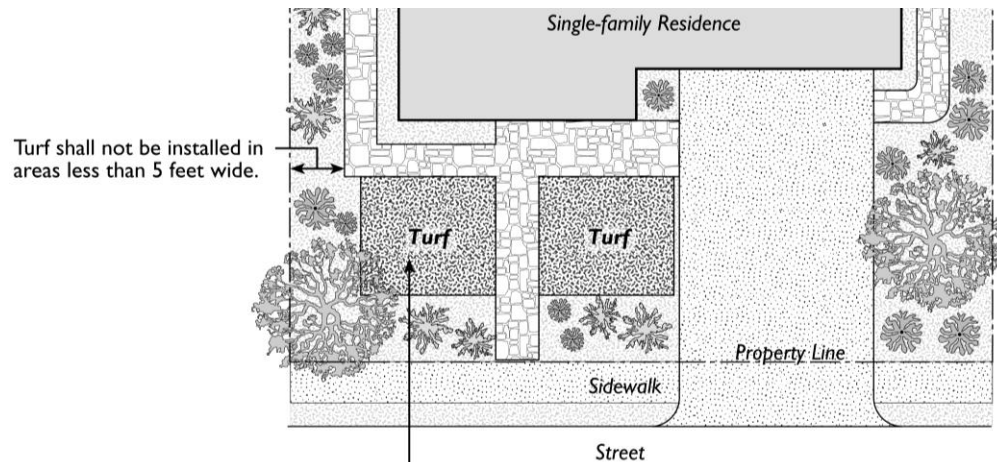
- C. Any project involving construction on a lot with an existing single-family residence not involving the complete replacement of that residence.

22.92.040 Drought-Tolerant Landscaping Requirements

All projects shall comply with the drought-tolerant landscaping requirements of this Section.

- A. **Landscaped Area.** The landscaped area of a lot on which a project is situated shall satisfy the following:
1. A minimum of 75 percent of the landscaped area shall contain plants from the drought-tolerant plant list;
 2. A maximum of 25 percent of the landscaped area may consist of turf, however, in no event shall turf be planted in strips that are less than five feet wide, and in no event shall the total landscaped area contain more than 5,000 square feet of turf;
 3. All turf in the landscaped area shall be water-efficient. The green building technical manual shall contain a list of turf that meets this requirement; and
 4. The plants in the landscaped area shall be grouped in hydrozones in accordance with their respective water, cultural (soil, climate, sun, and light), and maintenance requirements.

FIGURE 22.92.050.A: TURF



No more than 25 percent of the total landscaped area. For single-family residences this requirement will only apply to the area measured from the front property line to the front of the residence.

No more than 5,000 square feet of the total landscaped area may consist of turf.

All turf must be water-efficient, drought-tolerant species.

- B. **Single-Family Residences.** For single-family residences, in addition to the landscaping requirements of Subsection A, above, in calculating the maximum

square footage of turf used, the turf in the residence's rear and side yards shall be included in the measurement of the turf used for the total landscaped area.

22.92.050 Site Plan Review

Compliance with the drought-tolerant landscaping requirements of this Chapter shall be shown through a Ministerial Site Plan Review and as further described in this Section.

- A. The site plan for the project shall depict or list any drought-tolerant and non-drought-tolerant landscaping that will be incorporated into the project. In addition, the site plan shall outline the areas of the project to be landscaped with drought-tolerant plants and/or turf, and calculations shall be provided on the site plan showing the percent of landscaped area devoted to each. Upon installation of the landscaping, plants other than as originally shown on the site plan may be installed without additional approval from the Department as long as the same relative percentage of drought-tolerant plants to turf as originally designed is maintained. The site plan shall also depict the location of the trees planted, as required by Section 22.90.040.C (County Green Building Standards).
- B. The same site plan shall be used to show compliance with this Chapter, the green building requirements of Chapter 22.90 (Green Building), and the low impact development standards of Chapter 22.94 (Low Impact Development), to the extent these other requirements apply to the project.
- C. In any case where a site plan for a project has been or will be concurrently filed with an application for a permit, variance, zone change, development agreement, or other discretionary approval under this Title 22, or with an application for a subdivision under Title 21 (Subdivisions) of the County Code, the site plan procedure set forth in this Section shall not apply and instead, the Exhibit "A," tentative map, or other site plan required for such other approval shall be used to show compliance with this Chapter. In addition, in any case where the project requires a discretionary land use approval from the County, full landscape plans for the project shall be submitted to the Department to demonstrate compliance with this Chapter, and those landscape plans shall be fully reviewed by the Department as part of such approval process.

22.92.060 Additional Requirements

Compliance with this Part 21 shall also require the following:

- A. A covenant shall be recorded with the Registrar-Recorder/County Clerk indicating that the owner of the subject project is aware of the drought-tolerant landscaping requirements of this Chapter and is also aware of how said requirements apply to the owner's project.
- B. Any and all planting restrictions placed on the project by the Fire Department shall apply to the project, including, but not limited to the restrictions under said Department's fuel modification plan guidelines.

22.92.070 Exemptions

- A. The following shall be exempt from the provisions of this Chapter:

1. Registered historical sites;
 2. Public recreational lawns;
 3. Any new and/or renovation project for a park;
 4. Any area of a project dedicated solely and permanently to edible plants, such as orchards and vegetable gardens; and
 5. Community gardens.
- B. The following may be exempt from the provisions of this Chapter:
1. Landscaping for a manufactured cut or fill slope equal to or exceeding a gradient of 3:1, when the Department of Public Works makes a determination that such exemption is necessary to comply with the requirements of the building code regulating engineered grading.
 2. Landscaped areas required for low impact development ("LID"), as described in Chapter 12.84 (Low Impact Development Standards) of Title 12 of the County Code, water quality facilities such as vegetated swales, rain gardens, detention ponds or basins, areas of the project used to contain pollutants, or areas irrigated by reclaimed water, when the Department of Public Works makes a determination that such exemption is necessary for compliance with the LID standards established in Chapter 12.84.
 3. Trees used to shade outdoor public and/or private pedestrian and bicycle pathways or facilities such as sidewalks, bicycle lanes, bicycle paths, or bicycle parking, provided the County biologist determines that the overall drought-tolerant landscaping for the involved project furthers the intent of this Chapter.

22.92.080 Modification of Landscape Requirements

- A. The Director, without notice or a hearing, may grant a modification to the landscaping requirements of this Chapter under the following circumstances:
1. When a project's topographical features, lot size, or other conditions make it unreasonable, impractical, or otherwise creates an unnecessary hardship to require compliance with these landscaping requirements; or
 2. When the nature of a large-scale or multi-lot project necessitates flexibility in the project design that impacts the landscaping for the project.
- B. Any request for a modification to the landscaping requirements of this Chapter that is not filed concurrently with an application for a permit, variance, or other discretionary land use approval under Title 22, or with an application for a subdivision under Title 21 (Subdivisions) of the County Code, shall be processed as a Discretionary Site Plan Review application in accordance with Chapter 22.148 (Site Plan Review, Discretionary).
- C. Any decision by the Director on a modification request pursuant to this Section may be appealed to the Commission; and any decision by the Commission may

be appealed to the Board. All appeals shall be governed by Chapter 22.182 (Appeals).

Chapter 22.94 **Low Impact Development**

Sections:

22.94.010 Low Impact Development

22.94.010 Low Impact Development

All development, as defined in Chapter 12.84 (Low Impact Development Standards) of Title 12 (Environmental Protection) of the County Code, shall comply with the low-impact development requirements of said Chapter, subject to the applicability provisions of said Chapter.